

HISTORY OF DELAWARE : 1609-1888: GENERAL HISTORY

John Thomas Scharf









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HISTORY
OF
DELAWARE.

1609—1888.

BY

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ASSISTED BY A STAFF OF ABLE ASSISTANTS.

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LIST OF ILLUSTRATIONS.

VOL. I.

	PAGE		PAGE
Aerelius, Rev.....	157	Lawton, C. H.....	504
Arms of Penn.....	71	Layton, C. S.....	538
Askew, H. F.....	486	Logan, James.....	126
Bates, D. M.....	551	Lore, Chas. B.....	596
Bates, Martin W.....	574	Macdonough, Com. Thomas.....	300
Bayard, Hon. Jas. A.....	279	Macdonough medal.....	302
Bayard, T. F.....	589	Map Novæ Sveciæ.....	40
Belle of the Revolution.....	179	McCullough, Peter.....	368
Biddle, Captain James.....	286	McKean, Sally.....	174
Biggs, B. T.....	394	McKean, Thomas.....	202
British stamp.....	184	McLane, Allen.....	208
Burial-place, Wm. Penn.....	98	McLane, Louis.....	209
Burton, William.....	328	Medal, Albion Knights.....	60
Bush, Lewis P.....	496	Meschianza ticket.....	177
Carroll, Mrs. Chas., Jr.....	175	Milligan, John J.....	539
Causey, Peter F.....	327	Moore, Jacob.....	592
Chandler, Swithin.....	494	Nones, Captain Henry B.....	321
Clark, Robert H.....	344	Old London Coffee-House.....	178
Clayton, John M.....	530	Old Stage Coach.....	422
Clayton, Thomas.....	528	Paynter, Jno. H.....	546
Comegys, C. P.....	319	Penn's clock and tea service.....	167
Conrad, Henry C.....	604	Penn, John.....	121
Continental currency.....	242	Penn's old brew-house.....	160
Cream pot, presented to Henry Hill.....	176	Pillory.....	172
Delaware College.....	449	Plowden, Sir Edmund.....	57, 59
Delaware Indian family.....	13	Ponder, Governor James.....	380
Delaware Indian fort.....	15	Porter, Robert R.....	490
De Vries, David Pieterseu.....	32	Read, Col. James.....	190
Dickinson, John.....	203	Read, Col. John.....	186
Dickinson, John, mansion.....	206	Read, Com. Thos.....	189
Doctor of Olden Times.....	470	Read, Com. Thos., discovering Caroline Islands.....	190
Du Pont, S. F.....	357	Read, General Meredith.....	198
Du Pont, Victor.....	588	Read, Geo.....	186b
Early English silver tankard.....	188	Read, Geo. 2d.....	191
Eckel, Henry.....	454	Read, Hon. Geo.....	194
Embellishment, Charter of Pennsylvania.....	72	Read, Hon. John.....	195
Evans, Oliver.....	274	Read, John M.....	196
Evans, Oliver, steam-carriage.....	275	Read, Major Harmon P.....	201
Fairlamb, Jonas P.....	426	Read Mansion.....	189-91
First steamboats.....	268	Read, Wm.....	194
Fisher, George P.....	586	Rodney, Cesar.....	203
Fort Christina, Plan of.....	56	Rodney, Cesar A.....	571
Fort Casimir.....	54	Ridgely, Henry M.....	572
Fulton, J. Alex.....	600	Sanitary Fair Building.....	363
Furniture, Col. John Read.....	187	Saulsbury, Gove.....	376
Gillis, Jno. P.....	343	Saulsbury, Willard.....	552
Gordon, Gov.....	118	Seal and autograph, Wm. Penn.....	89
Gray, A. C.....	578	Seal, Gov. Andross.....	68
Grubb, Ignatius C.....	544	Seal, Kent and Sumex Counties.....	88
Hall, John W.....	388	Seal, Philadelphia.....	87
Hall, Willard.....	556	Seal, Philadelphia, 1701.....	99
Harian, C.....	500	Seal New Netherlands.....	62
Harrington, S. M.....	550	Soldiers' monuments.....	374, 375
Hayes, M.....	430	Smithers, N. B.....	582
Herman, Augustin.....	83	Smyth, Thomas A.....	366
Heverin, James H.....	598	Stockley, Charles C.....	392
House of York.....	70	Stocks.....	173
Houston, John W.....	540	Stuyvesant, Gov. Peter.....	51
Hudson, Henry.....	23	Swedish Map.....	53
Indian autographs.....	19	Tatnall, H. L.....	468
Indian implements.....	15-18	Tilton, Dr. James.....	474
Indian warrior.....	22	Tilton Hospital.....	361
Johnson, C. P.....	452	Vaughan, J. F.....	492
Jones, Com. Jacob.....	284	"Wasp" on a "Frolic".....	285
Keith, Gov. Sir William.....	103	Washington Guards.....	291
Kittinger, L.....	502	Wilson, J. H.....	498

CONTENTS OF VOLUME I.

<p style="text-align: center;"><u>CHAPTER I.</u></p> <p><u>INTRODUCTION AND TOPOGRAPHY OF DELAWARE,</u> <u>PAGE</u> <u>1</u></p> <p style="text-align: center;"><u>CHAPTER II.</u></p> <p><u>THE GEOLOGY OF DELAWARE,</u> <u>4</u></p> <p style="text-align: center;"><u>CHAPTER III.</u></p> <p><u>THE ABORIGINES,</u> <u>86</u></p> <p style="text-align: center;"><u>CHAPTER IV.</u></p> <p><u>DISCOVERY AND SETTLEMENT OF THE DUTCH,</u> <u>1609-1636,</u> <u>23</u></p> <p style="text-align: center;"><u>CHAPTER V.</u></p> <p><u>NEW SWEDEN ON THE DELAWARE,</u> <u>34</u></p> <p style="text-align: center;"><u>CHAPTER VI.</u></p> <p><u>SIR EDMUND PLOWDEN AND NEW ALBION,</u> <u>57</u></p> <p style="text-align: center;"><u>CHAPTER VII.</u></p> <p><u>DELAWARE UNDER THE DUTCH,</u> <u>61</u></p> <p style="text-align: center;"><u>CHAPTER VIII.</u></p> <p><u>WILLIAM PENN AND HIS GOVERNMENT,</u> <u>68</u></p> <p style="text-align: center;"><u>CHAPTER IX.</u></p> <p><u>DELAWARE UNDER WILLIAM PENN,</u> <u>81</u></p> <p style="text-align: center;"><u>CHAPTER X.</u></p> <p><u>PIRATES AND PRIVATEERS,</u> <u>99</u></p> <p style="text-align: center;"><u>CHAPTER XI.</u></p> <p><u>BOUNDARY DISPUTES AND SETTLEMENT,</u> <u>108</u></p> <p style="text-align: center;"><u>CHAPTER XII.</u></p> <p><u>COLONIAL HISTORY, 1704-1775,</u> <u>124</u></p> <p style="text-align: center;"><u>CHAPTER XIII.</u></p> <p><u>MANNERS AND CUSTOMS OF THE EARLY INHABI-</u> <u>TANTS,</u> <u>146</u></p>	<p style="text-align: center;"><u>CHAPTER XIV.</u></p> <p><u>DELAWARE DURING THE REVOLUTION,</u> <u>PAGE</u> <u>184</u></p> <p style="text-align: center;"><u>CHAPTER XV.</u></p> <p><u>FROM THE REVOLUTION TO THE WAR OF 1812-1815,</u> <u>265</u></p> <p style="text-align: center;"><u>CHAPTER XVI.</u></p> <p><u>THE WAR OF 1812-1815,</u> <u>276</u></p> <p style="text-align: center;"><u>CHAPTER XVII.</u></p> <p><u>FROM THE TREATY OF GHENT TO 1860,</u> <u>304</u></p> <p style="text-align: center;"><u>CHAPTER XVIII.</u></p> <p><u>THE CIVIL WAR,</u> <u>329</u></p> <p style="text-align: center;"><u>CHAPTER XIX.</u></p> <p><u>DELAWARE AFTER THE CIVIL WAR, 1865-1888,</u> <u>375</u></p> <p style="text-align: center;"><u>CHAPTER XX.</u></p> <p><u>INTERNAL IMPROVEMENTS,</u> <u>413</u></p> <p style="text-align: center;"><u>CHAPTER XXI.</u></p> <p><u>AGRICULTURE IN DELAWARE,</u> <u>433</u></p> <p style="text-align: center;"><u>CHAPTER XXII.</u></p> <p><u>PUBLIC EDUCATION,</u> <u>444</u></p> <p style="text-align: center;"><u>CHAPTER XXIII.</u></p> <p><u>THE PRESS OF DELAWARE,</u> <u>450</u></p> <p style="text-align: center;"><u>CHAPTER XXIV.</u></p> <p><u>MEDICINE AND MEDICAL MEN,</u> <u>470</u></p> <p style="text-align: center;"><u>CHAPTER XXV.</u></p> <p><u>THE BENCH AND BAR,</u> <u>508</u></p> <p style="text-align: center;"><u>APPENDIX.</u></p> <p><u>ROSTER OF DELAWARE VOLUNTEERS,</u> <u>611</u></p>
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PREFACE

THAT in the two hundred and fifty-six years past since men of the Caucasian race first attempted settlement within its boundaries, no previous attempt should have been made to complete a history of the colony and State of Delaware, is a self-explanatory reason for the preparation and publication of this work.

While it is remarkable that so important and interesting a field of historical investigation should have been neglected in these latter days of keen and deep research into the individualities, the environment, the motives, the labors and the rewards of the people who laid the foundations and erected the superstructures of the American commonwealths, it may be accepted that in the case of Delaware, the difficulties of a complete and creditable work seemed even more insurmountable, than the temptation to enter this almost unexplored domain was attractive. To undertake an exhaustive inquiry and carry it to successful completion has been a task that enlisted patient determination, thorough sympathy with the subject, minute scrutiny and that liberal enterprise which the publishers have generously furnished. Now, after many months of toil, in which the lore of Delaware, the fragmentary records left by its pioneers, the stages of its progress and the collections of European and American writers bearing upon its establishment and growth, have been compelled to yield their secret or open treasures, this history is put forth with full confidence that no means have been unemployed to secure its accuracy and completeness in detail or as a whole.

Whatever lapses and errors may be found within its pages—and it is believed they are comparatively trivial in number and significance—were inseparable from the conditions. Delaware possesses fewer collated and connected records of her early days than any of the colonies or original States. What chronicles were kept by the Swedish and Dutch settlers, they mostly carried away or destroyed, and although the succeeding English were more painstaking in the making and preservation of the written materials of history, the centre of their political life was located away from the “Three Counties upon the Delaware,” and their records were largely formulated in connection with Pennsylvania, New York, and to some extent with Maryland. It is to an autonomous political community that we look for a well-linked chain of history forged by the home interest of its people in their own affairs, and Delaware did not approach a condition of embryo statehood until she reached a condition of legislative semi-independence in 1704. Still, the narrative of her public, social and industrial life is fairly well kept in her own records, those of the parent countries which first populated her territory and those of the contiguous colonies, and from them an intelligent narrative of her colonial epoch has been constructed. In the next following period, the pillage and destruction of the archives at Wilmington and New Castle by the British during the Revolution, was a deplorable obstacle to the procurement of information at first hand, but

this lack has been supplied by the authentic relations of contemporary historians in other states to whom the events occurring in Delaware, and the valorous performances of Delaware troops, presented themselves in their proper magnitude and influence. Moreover, the letters and papers of Delaware statesmen and soldiers are numerous enough to throw a broadly-illuminating light upon the causes, incidents and consequences of the time, and have been used with signal benefit. For the story of the movements of affairs after the peace with Great Britain to the present day, the historical material has been sufficiently abundant.

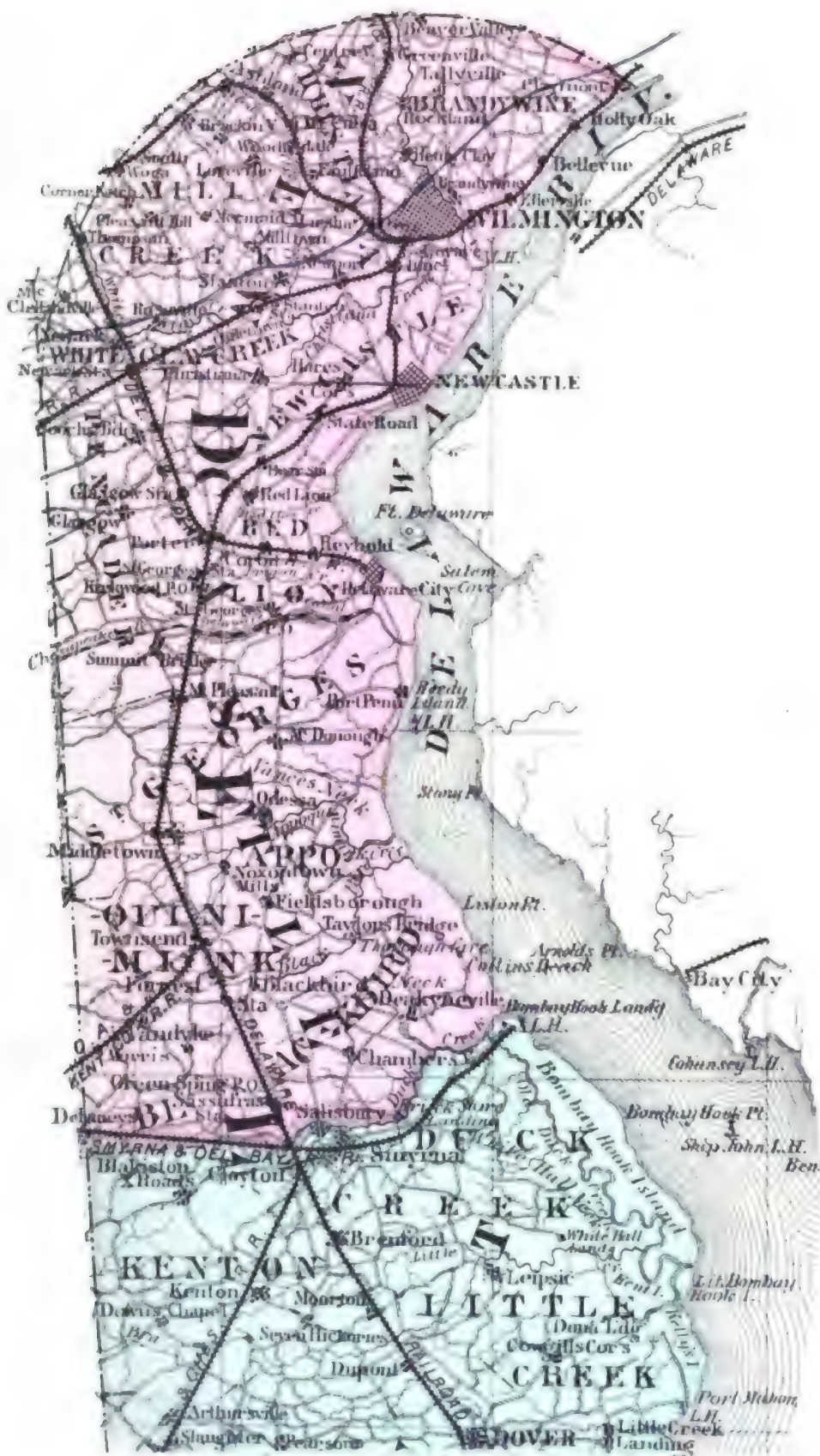
Attention is called to the completeness of the local narrative of the political and geographical divisions. This field has been unsparingly gleaned and the results submitted, although these have in some instances involved the appearance of clash, confusion and contradiction. In many instances the sketches of "hundred histories," in the second volume, have been inserted as they were prepared by the local writers. The editor was not at liberty to change either their matter or form of arrangement. But there is nothing in which local experts and authorities so much differ as in those vicinage events and matters concerning which they collectively agree that the interference of the outsider must be stubbornly resented. Therefore, the local writers have been permitted to tell their own stories, except where certain versions have been plainly contrary to the established truths of important history, in which the editor has set forth the facts as accepted by the critical world, and it, of course, follows that every form of a purely local narrative enriches the book for the readers of the locality affected. As to the variations in the orthography of the names of places and persons that will be noticed, it must be said that the editor has adhered to the original spelling as near as it could be ascertained, but in coming down to later times the modernized orthography has been adopted. Among the Swedes, Dutch, and English, who peopled Delaware, there was a confusion and much of a blending of tongues; spelling was not a positive science with any of them, and in early documents one page will often show several different combinations of letters in one name. Under such circumstances the only safe rule is that which has been pursued, to follow the record; or in the printing of biographies of individuals to accept the dicta of the families. It will not escape observation that the biographies of eminent citizens who have borne or are bearing distinguished parts in the processes and progress of Delaware are of absorbing interest and that the list is so voluminous, the history of their lives so exact, as to almost make in themselves a compendium of events for over two centuries.

A limited amount of space has been given to biographies of representative men, living and dead, who have borne an active part in the various enterprises of life, and who have become identified with the history of the state and the localities in which they live. The achievements of the living must not be forgotten, nor must the memories of those who have passed away be allowed to perish. It is the imperative duty of the historian to chronicle their public and private efforts to advance the great interests of society. Their deeds are to be recorded for the benefit of those who follow them,—they, in fact, form part of the history of their communities, and their successful lives add to the glory of the commonwealth. With this view the publishers have prepared and inserted in the work a number of interesting biographical sketches of a few of Delaware's representative men.

The editor would be destitute of a sense of justice to himself and to the State, whose entire history has now been written for the first time, if he failed to acknowledge in this place, and with a sentiment of profound gratitude, the cordial aid extended to him and his undertaking, by the people of Delaware. They have given him the fullest encouragement throughout and have helped him materially in elaborating and perfecting the work. To the press of the State, the Pennsylvania Historical Society, the Delaware Historical Society, State, county, city and town officers and the officials of churches, societies and corporations, he is especially indebted. Among the names of helpers and contributors are those of Chief Justice J. P. Comegys, Judge George P. Fisher, Nathaniel B. Smithers, Wm. Atkinson, Geo. H. Bates, Judge Leonard E. Wales, Austin Harrington, Dr. Horace Burr, W. R. Long, Rev. T. Gardner Littell, John C. Gooden, Prof. Wesley Webb, Prof. W. L. Gooding, Dr. Charles H. Richards, Dr. Robert G. Ellegood, Dr. Edward Fowler, Dr. George W. Marshall, Rev. Lewis W. Gibson, Rev. J. F. Stonecipher, Rev. Thomas E. Terry, Alexander Cummings, Charles G. Fleming, Rev. J. L. McKim, Rev. W. W. Campbell, W. S. McNair, Alfred Matthews, Austin N. Hungerford, George R. Prowell, J. L. Rockey, W. A. Erdman, Harry W. MacIntire, R. M. Stocker, Jefferson H. Nones, David G. Scott, E. P. Fulton, of the *Philadelphia Press*, Frederick D. Stone, Librarian of the Pennsylvania Historical Society, Gover Kettlewell, and J. C. Guggenheimer. To his publishers the author must render thanks that are, after all, not sufficiently expressive of what is owing to their enterprise and liberality. In every respect of letter-press, portraits, maps, engravings of scenes and localities, and each feature of artistic and mechanical execution, they have responded promptly to all suggestions made to them, and have striven with fine taste and judicious discrimination to make the book in typography, illustration and binding equal to its great purpose of furnishing Delaware and the historical literature of America with the only entire record in existence of one of the stars in the original galaxy of the union.

J. THOMAS SCHARF.

Baltimore, February 26, 1887.



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HISTORY OF DELAWARE.

CHAPTER I.

INTRODUCTION, AND TOPOGRAPHY OF DELAWARE.

The State of Delaware is one of the original thirteen States of the American Union, and, though next to the smallest in area, and least in population, possesses annals not surpassed by those of any other State in topics of varied character, romantic incident and instructive lesson. Nor does her early history relate alone to those confines which now limit her territory. New York, New Jersey, Connecticut, Massachusetts, Maryland, Virginia and Pennsylvania all partake, to a greater or less degree, in the interest of her peculiar story. The early adventure of discovery and settlement; the struggle with barbarism, and the subjugation of a rude soil; the contrast and blending of European with American life; the transfer of old institutions; the intermingling of races; the progress of commerce; the establishment of churches and schools; the triumph of freedom of conscience over bigotry; the development of principles of self-government within, and the action of encroachment and conquest from without; the relations of Delaware with Sweden, Holland and Great Britain; of the people with the proprietary of Pennsylvania; the attitude assumed towards the Dutch of New York; her position before and during the American Revolution, were all peculiar, and in the highest degree instructive to the student of the present as well as of the past.

At every period of the country's history Delaware has been among the first in patriotism and among the earliest in all that related to national defense. "The three lower counties of New Castle, Kent and Sussex, on Delaware," were represented in the Continental Congress which assembled at Philadelphia, on the 5th of September, 1774, and from that day to the present, the people of the State have been among the foremost in all that led to the prosperity and progress of the whole country. No state has exhibited stronger affection for the Union, made greater sacrifices in war or pursued a more judicious policy in the accumulation of wealth. Her position has commanded respect, and her integrity is beyond reproach.

It is surprising that Delaware, with a past so illustrious, so full of interest, and in many respects unique, should have no proper history. Not only

aliens, but even her own sons, have been very imperfectly informed of her true history, and, as a consequence, she has been denied the meed of honor both abroad and at home.

It is the aim of the present work to give the history of Delaware with accuracy and intelligence, omitting nothing that will contribute in any degree to illustrate its origin and growth, its national importance and its peculiar local features—to paint a portrait of the State as it was and as it is, in which every lineament shall be truthfully portrayed and represented with life and vigor enough to make its fidelity acknowledged by all. If these objects can be attained by zeal, sincerity and faithful, patient and exhaustive research, the author and his co-laborers have no fears of the reception which awaits their formidable undertaking.

The State of Delaware is situated between 38° 28' and 39° 47' of north latitude, and between 74° 56' and 75° 46' of longitude west from Greenwich. Its physical boundaries are—on the north by the State of Pennsylvania, Delaware River and Bay; on the south by the State of Maryland; on the east by the Delaware River and Bay, from a point twenty-four miles from its northern boundary by a line of low-water mark on the Jersey shore, thence to the radius of twelve miles north of New Castle; on the west by the States of Maryland and Pennsylvania to the periphery of the circle drawn in a radius of twelve miles from the court house at the centre of the town of New Castle, commencing at low-water mark on the shore of New Jersey north of New Castle, thence extending over the Delaware River, and following its circumference until it again touches the shore of that State south of its radius of twelve miles from New Castle. Sole jurisdiction is given to the State of Delaware over the Delaware River and Bay by this circular line of boundary, from low-water mark on the Jersey shore, about a mile north of the mouth of Naaman's Creek on the Delaware State side, for twenty-four miles southward, nearly to where Silver Run enters the Delaware River. Within the circular boundary are Pea Patch and Reedy Islands, on the former of which Fort Delaware is situated, and upon the latter a light-house. The jurisdiction of the State below the circle extends to a line running down the middle of the Delaware Bay as far as Cape Henlopen; thence along the Atlantic

Ocean to Fenwick's Island, in about $28^{\circ} 20'$ north latitude. The southern line runs westwardly thirty-four miles, three hundred and nine perches, to the exact half of the distance between the Atlantic Ocean and the Chesapeake Bay; thence by a right line nearly due north at a tangent until it reaches the western part of the periphery of the circle, twelve miles from the court-house at New Castle.

The length of the State is ninety-five miles; at its southern boundary the width is thirty-five miles; at Cape Henlopen the width is about twenty-five miles, which diminishes, by the water-line of the bay, until, at Red Lion Creek, in New Castle County, the width of the State is not over ten miles, while at its northern end its width is twelve miles, being the radius of the New Castle circle.

The line which divides Delaware from Maryland, starting at the Atlantic Ocean, running due west for a distance of thirty-four miles, turns at right angles due north to the tangential point on the New Castle circle, which was run by Charles Mason and Jeremiah Dixon in 1763, and is known as "Mason & Dixon's Line."

Each of the three counties extends across the State from the ocean, bay or river to the dividing line between Delaware and Maryland, New Castle being divided from Kent by Duck Creek and a line running due west to the Maryland line; Kent is divided from Sussex by the Mispillion Creek and the Tan Trough Branch; thence by a line southwesterly to a small branch of Nanticoke, down this branch to the beaver dam, and thence by a line due west to the Maryland line. Sussex comprises all south of the last-described line to the boundary of Maryland.

The topography of the State may be said to consist of rounded hills in the northern part, which rise at no point over five hundred feet above the sea-level; this elevated portion of the State extends southward to White Clay Creek, and reposes upon a substratum of rock. South of White Clay Creek the State is level, and nowhere elevated more than seventy feet, which only occurs on the sandy table-land ridge which passes through the State. In this table-land most of the rivers and streams have their sources. One of the most notable features of the State is the Cypress Swamp, on the southern line between Delaware and Maryland, and lying in both States. This swamp abounds in trees, mostly cypress, and game of all kinds is to be found in its recesses. Below its surface are found immense trunks of trees, the remains of giants of the forests, which, perhaps, sunk beneath the waters in years long past. These trunks are raised and made into shingles, and find ready market and reward for the labor bestowed upon their conversion.

The soil of the State is fertile, and has long been celebrated for its wheat, its fruits and vegetables; while the clearing of its forests cut away

the white and black oak, yellow pine, cypress, tulip, poplar, Spanish oak and gum, which once covered the whole State.

Its principal rivers and streams are the Delaware River, which for twenty-four miles forms the eastern demarkation; Naaman's Creek, enters the Delaware about a mile south of the northern line; Shelpot Creek flows into the Brandywine, and thence, with the Brandywine, which crosses the State, enters the Christiana within the limits of the city of Wilmington, about one and a half miles from the Delaware, into which it empties its waters; the Brandywine is navigable for about two miles for sloops and schooners. From the head of navigation, the Brandywine is a rocky stream with several falls, which afford excellent water-power. The Christiana rises in Maryland, and flows through the State into the Delaware at Wilmington and has depth for vessels drawing fourteen feet. Red Clay Creek, Mill Creek and Bear Creek are streams flowing into White Clay Creek. These were once navigable, but are now valuable only for water-power. Red Lion Creek has been dammed up. St. George's Creek now empties a portion of its waters into the Delaware and Chesapeake Canal, and the remainder through a new channel into the bay. St. Augustine and Silver Run are small creeks which discharge their waters into St. George's Bay below Reedy Island. Appoquinimink Creek is navigable for sloops from Odessa to the Delaware, a distance of about seven miles, and for steamboats to Thomas' Landing.

Blackbird Creek, flowing due east and north until it empties into the Delaware Bay, is navigable; Duck Creek, which divides New Castle from Kent County is navigable for seven or eight miles, to Smyrna, and to Hay Point Landing for steamboats of twelve to fourteen feet draft; it reaches the Delaware Bay through a channel, called the "Thoroughfare," at a point north of Bombay Hook. Little Duck Creek is navigable for sloops to the town of Leipsic; Dona River connects with the Little Duck Creek and enters the bay below Little Bombay Hook. Dona and Little Duck Creek form Kent Island, a large marshy island, several miles in extent. Mahon River is merely one of the outlets of Dona River, which has forced a passage through the marsh, and flowing southerly for four miles enters the Delaware. Kelley's Island is formed by the conjunction of the Mahon and Dona Rivers. Port Mahon is esteemed the best harbor for coasters on the Delaware. Little Creek is navigable, as far up as Little Creek Landing, about three miles from its mouth, for sloops and small schooners.

Dover, the capital of the State, finds an outlet for its commerce to the Delaware by a very circuitous route through St. Jones' Creek, a distance of thirty miles. It is navigable as far up as Dover

for vessels and steamers of two hundred tons burden.

Murderkill Creek enters the bay below the mouth of St. Jones' Creek, and up its navigable waters commerce finds its way to Frederica. Mispillion Creek affords navigable facilities to Milford by large sloops, schooners and steamboats. Cedar Creek, though small, is navigable from the Delaware, into which it flows. Draper's, Slaughter's and Primehook Creeks are small streams entering the bay between the mouths of Mispillion and Broadkilln Creeks. Broadkilln is navigable for sloops and schooners to Milton, about twelve miles from its mouth, and flows into the estuary of Lewes' Creek, about two miles from the Delaware Bay. Lewes' Creek is about six miles long and empties into the bay; its navigation was destroyed by the "Great Storm," which washed sand of the ocean into the creek and in this way destroyed its mouth for navigable purposes. Canary or Mill Creek affords navigation to Lewes Creek and from there to Broadkilln, and Wolf Creek and Old Creek fall into it near Lewes.

A narrow ridge of sand separates Rehoboth Bay and Indian River Bay from the Atlantic Ocean, while Indian River Inlet is a passage, torn by storms, through this ridge for the waters of the two bays to the ocean. This inlet rarely contains more than a few feet of water, and after a great easterly storm is closed by sand washed into it from the ocean; but soon the dammed up waters of the bays break again for themselves a passage to the ocean. These large bays have each a surface of twenty-five miles, but their depths rarely exceed four or five feet. The most northerly of these bays is Rehoboth, which, nearly square in shape, extends parallel with the ocean, from which it is separated by the ridge. Line Creek, Middle Creek, Herring Creek and Guinea Creek empty into Rehoboth Bay. Long Neck, a narrow sand bar, separates these last-mentioned creeks from Indian River Bay, while the "Burtons"—marshy islands, called on old maps Station Islands—indicate the changes that have taken place in these waters. Indian River Bay is about eight miles long and from two to four broad; it fronts the Atlantic Ocean for three miles, and is separated only by the narrow ridge mentioned above. Millsboro' is on Indian River. Pepper Creek, Vine Creek and White Creek flow into Indian River.

Fresh Pond and Salt Pond are two ponds a few miles south of Indian River—the former is about half a mile in length and two hundred yards wide, and is from twenty-five to thirty feet deep. It has apparently no outlet or streams flowing into it, and contains but few fish. It is separated from the Atlantic by a ridge of sand not more than an eighth of a mile wide. The other, Salt Pond, is about the same size and situated about three miles

south of it, and it is also without visible outlet. Its water is salt, and even more so than that of the ocean.

Assawaman Bay is formed by Jefferson Creek, and is long and shallow, about seven miles long and from one to one-half a mile broad, and from three to five feet deep. It is separated from the Atlantic by Fenwick's Island, a long narrow cape and ridge of land which extends in length twenty-three miles.

The streams which flow into the Chesapeake Bay and take their rise in Delaware, are the Nanticoke, the Broad Creek and the Pokomoke. Sea-ford finds water communication with the Chesapeake Bay down the Nanticoke. Portsville is reached by Broad Creek, and the Cypress Swamp is reached by the Pokomoke. Back Creek, the Bohemia and the Sassafra, in New Castle County; the Chester, the Choptank and the Marshy Hope, in Kent County; and the Wicomico in Sussex, all take their rise in the Sandy Ridge of Delaware and discharge their waters into the Chesapeake,—they all belong more properly to Maryland than to Delaware.

The lines of railroad in Delaware reach every locality and give the people every facility of transportation. The State has over three hundred miles of railroad, and the respective companies are treated more fully elsewhere in another chapter.

The waters of the Chesapeake and Delaware Bays are connected by the *Chesapeake and Delaware Canal*, navigable for coasting vessels and propeller steamers. This canal extends from Delaware City, forty six miles below Philadelphia, to Chesapeake City, on Back Creek, a navigable branch of Elk River, in Maryland. The canal is thirteen and a half miles in length, sixty-six feet wide at the top and ten feet deep. It has two tide and two lift locks, and is located four miles through a deep-cut ninety feet in depth; it was completed in 1828 at a cost of two million two hundred and fifty thousand dollars, and has since proven a source of incalculable value to the producers of the surrounding country in furnishing an outlet to the markets of the large cities.

A ship canal has been contemplated for many years between the two bays, for which a company was chartered by Maryland and by Delaware, and the line located from the Sassafra River to the Delaware Bay. Beyond securing the right of way nothing has been done. Salem Creek and the Delaware River have been connected by a canal.

Delaware is an agricultural State; a part of it is in a high state of cultivation. Beside wheat, Indian corn and other grain, peaches are grown in immense quantities and sent over the country: small fruits are also raised for transportation. In

the northern part of the State are numerous manufactures. Wilmington is the principal centre of industry. New Castle, also, has important rolling-mills, and cotton and woollen factories. On Brandywine Creek are some of the finest flouring-mills in the United States, to which vessels drawing eight feet of water can come. The foreign trade of the State is effected chiefly through Philadelphia, Baltimore and New York; so that its direct foreign trade is very inconsiderable.

CHAPTER II.

THE GEOLOGY OF DELAWARE.¹

DURING the years 1837 and 1838, Prof. Jas. C. Booth, in accordance with an act of the State Legislature, made a geological survey of Delaware, the results of which were published in a report that appeared in 1841. This old memoir is of great value, both from the accuracy of the author's observations and his minute attention to detail; we cannot, therefore, expect to take anything from the character of this work, our aim being to so completely reconstruct our geology as to bring it into sympathy with results in adjacent States.

The formation represented within the bounds of the State are Archean, Cretaceous, Tertiary and Quaternary. The relations and positions of the several divisions of these formations are represented in the accompanying table, also the thickness of each. It will be understood that the formation oldest in age and order of deposition is placed at the bottom.

AGE.	GENERAL SERIES	DELAWARE SERIES.
Quaternary or Modern.	Modern.	Bog Clay Alluvium.
	Post Glacial.	
	Glacial.	Delaware Gravels—10-40'.
Tertiary.	Pliocene.	Blue Clay—3-10'. Glass Sand—40'.
	Miocene.	White Potter's Clay—10' -20'.
	Eocene.	
Cretaceous.	Upper.	Middle Marl Bed—139'.
	Middle.	Indurate Marl Bed (Red Sand of New Jersey)—149'.
	Lower.	Lower Marl Bed—60'. Plastic Clays (Potomac Formation)—160'.
Archean.	Archean.	Mica Schists and Gneisses, with Eruptive (Gabbros and Gabbro—Diorites.
		Magnesian Marble.
		Quartzite.

¹ Contributed by Prof. Frederick D. Chester, of Delaware College.

The geology of the State of Delaware is comparatively simple. The oldest Archean rocks cover all that portion of the State which lies to the north of the Philadelphia, Wilmington and Baltimore Railroad, where they are tilted at high angles, contorted and overthrown. The region is one of great interest, and offers to the field geologist problems of such moment as to make it a classic field in American geology. Resting upon the eroded edges of the Azoic rocks are successive series of plastic clays, sand marls and green sands, of Cretaceous age, which form quite uniform strata dipping at a low angle to the southeast. This belt, having a width of about eighteen miles, extends from the Archean hills to the latitude of Noxontown mill pond, just south of Middletown. The Cretaceous is succeeded by a stratum of white or lead colored clay having a thickness of ten to twenty feet.

This continues as far south as Murderkill Creek, and from fossiliferous evidence is probably Miocene. South of Murderkill Creek, the Miocene is succeeded by three to ten feet of light or dark blue clay, beneath which is a uniform stratum of fine white glass sand of at least forty feet in thickness. That all the State south of Murderkill is later Pliocene rather than Modern, as the older writers have claimed, has, we think, been well demonstrated. All the beds of the Tertiary lie in a nearly horizontal position, dipping at a still lower angle than the Cretaceous, and probably unconformable to the same.

Covering all of the foregoing formations, and reaching up the flanks of the Azoic hills to the height of two hundred feet or more above tide is a layer of sand and gravel, which to the north is of a coarse red nature, and to the south is fine and white. These gravels are of Quaternary age, and have been styled by the author the Delaware Gravels and Estuary Sands, respectively. Along the river and bay shores is also the belt of bog clay, which is modern, and of more recent origin than the Gravels.

THE ARCHEAN.—Generally speaking, the southern line of the Azoic or Archean rocks is the limit of the "highlands," but in certain places they extend well into more level regions. Beginning with a point upon the Maryland boundary, a little north of where the latter is cut by the Mason and Dixon line, the limit of the rocks runs in a north-east direction, cutting through the western end of Newark, and following the northern boundary of the town. Thence it runs close to the south shore of White Clay Creek to a distance of two miles beyond Roseville, where it makes an abrupt bend to the north, until at Stanton the rocks cease to be found. A mile back of the railway station, they again appear, continuing to a point about a mile back of Newport, where their course runs slightly

to the southeast, crossing the Wilmington turnpike just before it is intersected by the Wilmington Northern Railroad; thence it follows the turnpike through the southern half of the city, when it turns abruptly south to the river.

The character of the country covered by the Archean rocks is distinctly hilly, and stands in strong contrast to the low-lying region to the south. The rocks, however, are too uniform in texture and structure to cause marked topographic outlines. The region is rather rolling, or the hills low and undulating, between which are corresponding bowl shaped depressions. The elevation of this highland region varies between two hundred and three hundred and fifty feet above tide, gradually increasing to the north.

The Archean area of the State can be divided into two nearly equal areas. First, a southern club-shaped area of eruptive gabbros and hyperites with associated amphibole rocks, and Second, an upper elliptical area of softer micaceous gneisses and schists.

Almost the whole of Brandywine Hundred, and the southern half of Christiana Hundred are covered by the rocks of the first class. To the west of Brandywine Springs these rocks, however, taper out into a narrow belt of not over a quarter of a mile in width, which runs along the southern limit of the Archean to beyond Newark.

Another interesting development of the same rocks occurs to the southwest of Red Mills, and thence to the well-known elevations called Iron and Chestnut Hills. The typical hypersthenic gabbro or hyperite of the club-shaped area just described is represented by the so-called "Brandywine granite," which is quarried to such an extensive degree in the neighborhood of Wilmington. It is a rock of dark bluish gray or bluish black color of great hardness and firmness, and is without doubt one of the most valuable and durable stones in existence.¹

This rock has been studied in detail by the writer, and from its wide variation in composition and structural characters is of peculiar interest. The rock, as studied under the microscope, is found to consist of a granular mixture of *hypersthene*, *diallage plagioclase feldspar* (labradorite), with accessory *quartz*, *biotite hornblende*, *magnetite*, *pyrite* and *apatite*.

The most remarkable fact observed in the study of these rocks is the intimate association of highly schistose black hornblende rock with these massive gray gabbros. The black hornblende rock is, after past microscopic studies, found to be but an extreme stage of variation affecting to a greater or less degree the whole gabbro mass. Hornblende, which is the true gabbro is but a rare or accessory constituent, is found to increase in amount until

the hypersthene rock passes into a nearly pure hornblende feldspar rock, which from its schistose or banded structure makes it a hornblende gneiss. In the same way it is found that the true gabbros occur in all stages of transition into rocks distinctly granitic in character, or more nearly like many of the European norites or the trap granulites of Saxony.

The massive gabbros, best exposed in the extensive quarries of Brandywine Hundred, are entirely massive in structure, or with an entire absence of those planes of bedding which characterize sedimentary deposits. All evidence obtained in the field and with the microscope confirms the belief that they are truly eruptive, and that the rock was at one time in a more or less molten state, in which condition it was probably forced up through the older mica schists which lie to the north and which also lie buried to the south beneath younger clays of the Cretaceous. The banded or schistose structure prevalent in the associated hornblende rocks proves also that the rocks of this gabbro belt have been subjected to great pressure, a pressure which the microscope shows was great enough to flatten and elongate certain of the mineral constituents of the rock and to crush others into fragments.

To the north of the area of gabbros and hornblende rocks, and resting upon the latter, is an extensive formation of highly micaceous slaty rocks, so easily friable as to crumble to the touch, and which break into a loose sandy loam of great richness.

The rocks of the mica schist belt are all stratified with variations of bedding, from that as thin as slate, in the mica schists, to that of a heavily bedded character in more highly metamorphosed forms. Both strike and dip in these rocks are subject to great variation. Variations of strike in this case proving that the elevating force acted very unequally, showing itself in a twisting and undulation of the out-cropping edges of the rock. Variations of dip enabling the geologist, by plotting upon paper those observed along any line of section, to show that the micaceous rocks of Delaware have been pressed into a series of folds or waves, like the wrinkles in a piece of cloth, by an enormous lateral pressure, a pressure which resulted in the elevation of the Blue Ridge from New England to Alabama, of which uplift the crystalline rocks of Delaware form a part.

The mica schists and gneisses of Delaware form a continuation of the so-called Philadelphia Gneiss belt, which covers the greater part of Delaware County, and the southern portion of Montgomery, Bucks and Chester Counties in Pennsylvania.

These rocks have been the subject of much controversy, and their age is still undecided. By many they are regarded as altered Palaeozoic sedi-

¹ Bulletin, No. 41, U. S. Geological Survey, Washington.

ments, while others continue to regard them as of Archean age. This latter designation is based upon their lithological similarity to many of the older crystalline schists. They have hence been referred to the White Mountain, or the Rocky Mountain series, one of the upper members of the Archean.

Associated with the softer slaty micaceous rocks are probably intrusive masses of coarse grained granite, which vary in thickness for several inches up to many feet. These granites often become so highly feldspathic as to possess considerable economic value, inasmuch as the feldspar frequently becomes decomposed into Kaolin.

The celebrated deposits around Hockessin are of this character. Dixon's quarry near Wilmington has produced very fine yields of feldspar. A very notable vein cuts across the road leading up the Brandywine, about one and a half miles from the head of the State. Its width is about twenty feet, and the material a mixture of red orthoclase albite, blue quartz and muscovite. The rock is quarried for the valuable feldspar, used in the manufacture of artificial teeth.

Quartites are also imbedded with the mica schists and when pure and white are worked under the name of *flint*. At Tweed's Mill, above Newark, this rock is ground into a fine flour, when it is shipped for use in the manufacture of porcelain ware.

It is an interesting point to note that these quartz veins are frequently of a cellular character, when they are quite similar to many gold bearing veins in rocks of like age in Virginia, North Carolina and Georgia. Hence it is not at all improbable to suppose that gold bearing veins may some day be discovered upon the farms of Northern Delaware.

Another common associate of the mica schists is a black hornblende rock interbedded with the latter, and forming masses often several hundred feet in thickness. In places, this alternation of hornblende and micaceous rocks is frequent.

THE CRETACEOUS.—The cretaceous of Delaware, a continuation of the same formation as developed in New Jersey, extends across the state as a northeast and southwest belt, with a breadth of eighteen, and a length of from fifteen to twenty miles. The northern limit of the belt has already been traced out as making the southern boundary of the Archean. The southern limit was a little to the south of, and parallel with, Appoquinimink Creek, cutting through the centre of Noxontown millpond, and thence proceeds in a straight south-western direction. The different subdivisions of the cretaceous form uniform beds dipping at a low angle to the southeast. This dip was carefully measured at the deep cut, along the Chesapeake and Delaware canal, and found to be at this point at the rate of forty-five feet to the mile.

These subdivisions will be noticed in the chronological table at the opening of this article and will be described in order.

THE PLASTIC CLAYS.—This formation is the thickest member of the cretaceous whose northern limit corresponds with the upper border of the cretaceous. Its southern line begins a few miles south of New Castle, and extends in a south-western direction to just below Red Lion, crossing the railroad between Porter's and Kirkwood, and cutting the State line about two miles north of Chesapeake City.

Although of so much importance, it is, owing to the great thickness of the overlying gravels, rarely exposed, and even when more favorable opportunities are offered, but a few feet of the characteristic Red Clay appear above the surface.

The clay is more generally red and highly plastic; in other cases it is mottled, and again white and sandy like fire clays.

The best exposures are along the lower levels of the gullies cut by the creeks of upper New Castle County, particularly along Red Lion Creek. Occasionally the characteristic red clay comes to the surface at points along the roads. The hills to the east and north of Christiana are formed of these clays, which outcrop very frequently along the road leading from Christiana to New Castle.

Judging from the many points where we have found this clay exposed we are convinced that it has an important economic value for the manufacture of terra cotta ware. The supply is practically inexhaustible, and the clay is to all appearance as good as similar clays worked in New Jersey for manufacture into terra cotta ware.

The plastic clays of Delaware have within the past year been correlated with the so-called Potomac formation of Maryland and Virginia, and have important relations to certain older gravel deposits which will be dwelt upon later.

SAND MARL.—This is a deposit of a loamy yellow siliceous sand, with which is mixed some green sand (marl), whose thickness is about ninety feet. It rests upon the plastic clay formation, and covers that part of New Castle County, lying between the southern limit of the plastic clays, and the canal.

THE MARL BEDS.—The marl beds cover a comparatively small area in the State, and are practically limited to that division of New Castle county called St. George's Hundred.

The first important outcrops of green sand occur along the Delaware and Chesapeake Canal, the channel of which cuts deeply into the formation. Its northern limit, as determined by old marl pits, runs approximately parallel with the canal, keeping a distance of from a quarter of a mile, to a mile. From this line the marl extends southward to another boundary parallel with, and about

one mile south of Appoquinimink Creek, where it gives place to the tertiary clays.

The divisions of the green sand formation are found, with two exceptions, to correspond with those made by the New Jersey Survey. The chronological table at the opening of this article gives the subdivisions of the marl beds.

LOWER MARL BED.—This stratum, which extends as a narrow belt on each side of the canal, is found to outcrop along the entire length of the same, rising about a foot above the surface of the water, and farther west to the height of twenty feet. The lowest layer in this deposit is a tough blueish black marl, which, upon drying, turns to a lighter, ashen or earthy color, when it is found to be made of a mixture of green sand, siliceous sand and argillaceous matter. The solid particles are coated with chalky carbonate of lime, which, under the microscope, appears as a fine white powder of a granular character.

Overlying this last layer is a shelly layer of about three feet in thickness, and containing the characteristic fossils of the Lower Marl Bed of New Jersey.

Above this layer, which we have called the "Black Argillo-micaceous Marl," to the west of the Delaware railroad, it is exposed in the "Deep Cut," where its characters can be well studied. This black marl is composed of minute sharp glassy particles of quartz, coated with a grayish dust, and associated with a few green sand particles of unusual firmness, together with a considerable quantity of minute scales of muscovite mica.

INDURATED MARL BED.—The northern limit of this belt, which is also the southern limit of the lower marl bed, starts near the mouth of Scott's run, and thence keeps parallel with the canal to the railroad, where it begins slightly to diverge, cutting the headwaters of the northern branch of the Bohemia river. The southern limit of the belt can only be approximately outlined, but as can best be determined, runs from Port Penn through the headwaters of Drawyer's Creek, and crosses the Maryland line four miles below the head of Bohemia River. The deposit is divided into two layers: 1st, Lower layer of reddish siliceous sand, with some green sand, which occupies the upper border of the belt a little south of the canal; and 2d, An upper layer of partly decomposed or indurated marl, of a rusty green color when dry, which underlies most of the area of the belt.

THE MIDDLE MARL BED.—This belt crosses the State with a uniform breadth of three and a half miles, the northern line running from Port Penn, a little north of Drawyer's Creek, and crossing the State line four miles south of the Bohemia River. The southern line crosses the center of the Noxontown mill-pond, keeping parallel with and a little south of Appoquinimink Creek. The middle marl

is divided into three very distant layers. (1) A lowermost pure green sand covering most of the belt, and well-exposed along Drawyer's Creek and Silver Run. (2) An intermediate layer of friable shells, from three to ten feet, exposed at the head of Noxontown mill-pond and along the south side of Appoquinimink Creek. (3) An upper yellow or reddish-yellow sand, occupying the southern verge of the belt.

THE ECONOMIC VALUE OF THE MARL.—The area covered by the marl beds has already been set forth with sufficient exactness to enable one to know where marl can be found. The supply within the area, underlaid by it, is probably inexhaustible. Its value as a fertilizer makes it worthy of consideration. Green sand is composed of grains of the mineral glauconite, mixed with greater or less quantities of impurities, as clay, siliceous sand, and mineral particles.

Glauconite is a compound of silica, iron, protoxide and potash; the quantity of potash ranging from four to twelve per cent. Many of the New Jersey green sand marls contain from one to two and a half per cent. of phosphoric acid, and there is no reason to doubt but that the Delaware marls, which are geologically identical with those of New Jersey, may be equally rich in this last substance. When used, liberal dressings of the land should be made before plowing, in this way a large amount of potash is introduced into the soil, which, while at first insoluble, or not directly available, becomes slowly set free by decomposition, and renders it available to plants.

The effects of the marl are, therefore, lasting, and when applied every few years permanent. A careful inquiry into the results obtained from the application of marl upon some of the Delaware farms has convinced the writer that good results can be reached by its use. As a direct and immediate source of potash, green sand is not to be compared, by the rule of commercial valuation, with the easily soluble *kainit*; but as an easily available and cheap material for the culture and permanent improvement of land, green sand marl is a material worthy of the attention of those farmers of the State whose lands are underlaid by it.

THE TERTIARY.—All that portion of the State lying south of the lower limit of the marl beds, as already pointed out, is underlaid by the Tertiary, of both Miocene and probable Pliocene age.

The northern half of this area, which is bordered on the south by a line running not far from the course of Murderkill Creek, is underlaid by a drab or white clay deposit of from ten to twenty feet in thickness, so far as can be determined from such well-records as have come to the writer's attention. This deposit contains in places abundant fossils sufficient to determine its Miocene age; it also overlies, probably unconformably, the marl. This

highly plastic clay can be seen only along the creeks of Kent County and lower New Castle County.

Along the creeks at Smyrna and at Dover it is frequently exposed, where its qualities can be well studied. In its purer forms it would make an admirable potter's clay, and considering its unlimited supply, underlying as it does the whole of Kent County, its value for that purpose is worthy of the consideration of potters abroad and at home. South of the latitude of Murderkill Creek, representing the whole of Sussex County, we meet with a later deposit of the Tertiary of probably Pliocene age.

This is represented by an uppermost layer of blue clay, and an under deposit of glass sand.

The blue clay varies in thickness from three to ten feet, and often runs into a black bog mud, while less often it becomes of a light drab hue. In its upper portion it contains nests of the modern oyster in a very friable condition, and which Prof. Heilprin, of the Philadelphia Academy of Natural Sciences, considers as of a somewhat antique character.

Underlying the blue clay is the glass sand, which, so far as the writer's knowledge goes, has been penetrated to a depth of forty feet.

It is a pure white glass sand, and would be of great value in manufacturing were it easily accessible. It seldom, if ever, comes to the surface, owing to the overlying clay deposit, which rises to just about tide-level. Where the uppermost gravels and loams of Sussex County are thin, however, it might be found near enough to the surface to be readily worked. At any rate, this point is well worthy of the time necessary for prospecting.

IRON ORE BEDS.—The ore beds of the State are found only in New Castle and Sussex Counties, and are entirely bog-ores, which are of two kinds "dome" and "layer." The former is found mostly in New Castle County; the latter in Sussex County.

The outlying spurs of the Archean Rocks, Iron and Chestnut Hills, which rise abruptly above the plain in the vicinity of White Clay Creek in Pencader Hundred, New Castle County, were known to contain ore from the earliest settlement of that part of the State, and the former is mentioned in official records and papers in 1661. In 1725, a forge and furnace were built at the place, where ore was mined and smelted for about ten years. They were then abandoned, and in 1841, the pits and adjacent property were purchased by David Wood, an iron-master of Philadelphia, by whom they were operated for many years, and were known as "Wood's Ore Pits." In 1872, the property passed to the proprietors of the Principio Furnace, by whom they are still owned and operated.

Ore was found on Chestnut Hill, (a knoll about

a mile west of Iron Hill,) many years ago. In 1873, the work of mining and shipping ore was begun on quite a large scale, and continued until 1884.

In Sussex County, along the streams that flow westerly into the Chesapeake Bay and largely in Nanticoke Hundred, bog-ores (layer) have been known to exist from about the middle of the last century, and from 1763 to 1776, large quantities of ore were raised, smelted and the iron shipped to England. The blockading of the Chesapeake, compelled the abandonment of the furnaces, and the mining of ore and the manufacture of iron, was not again renewed until the beginning of the present century, when forges and furnaces were built and large quantities of ore raised, some of which was smelted in the forges in the vicinity but the larger portion shipped to New Jersey. The lands from which the later forges procured their ores were those worked before the Revolution. Collins forge, which went out of blast about 1850, was the last to abandon the manufacture of iron in Sussex County. Many of the lands, about 1821, passed to iron masters of New Jersey, who raised and shipped the ore to their furnaces in that State long after the abandonment of all the forges in the lower parts of Delaware. No ore has been raised in Sussex and Kent County for several years, as the visible supply was nearly exhausted; but new deposits are slowly being made, and at some future time the iron industry may again be made a source of profit to the State.

It may be of interest to the people of the region where these ores are found, to know in what other localities similar ores are worked and how they are formed. Professor J. P. Lesley, an eminent authority, in the "Iron Manufacturers Guide," published in 1859, enumerated the different kinds of ore as follows:

- "1. The primary, specular, magnetic red oxide, and
- "2. The brown hematites.
- "3. The fossil ore of the Upper Silurian Rocks.
- "4. The carbonates, especially of the coal measures.
- "5. The bog ores of the present surface."

Professor Lesley continues to speak of the formations and deposits:

"We have the crataceous, tertiary and post tertiary deposits to the left of the great central belt as we go south, covering the southern half of New Jersey, all Delaware and eastern Maryland, eastern Virginia, North and South Carolina, two thirds of Georgia and Alabama, nearly all of Mississippi, the western part of Tennessee and Kentucky between the Mississippi and Tennessee Rivers, and west of the Mississippi River all the country south of Missouri (except a part of Arkansas) as far as the Rio Grande, and northward all between the 99° of longitude and the Rocky Mountains, far into the British possessions, excepting only the Black Hills and a few other and still smaller islands of older rocks which stood above the cretaceous and tertiary oceans, or were projected through its deposits from below. Bog iron ore characterizes this great belt in New Jersey, Delaware and Maryland, and in the west.

"Bog ore is a deposit of every age upon the actual surface at the time. In the present age the process assumes the principal forms the dome and the layer. The former is a mechanical, the latter an organic process. The former takes place at the issues where water springs from ferri-

ferous rocks; the latter at the bottom of peat bogs. Throughout the coal measure areas of the west, where the rocks are outspread for thousands of square leagues in nearly horizontal strata, and their edges exposed upon the sinuous and terraced slopes of innumerable valleys, in alternate bands of slate and sandstone, coal, limestone, iron and clay, the waters, filtering out between these rocks in rows of fountains, deposit the peroxide of iron in those moist places which ferns and mosses most affect, and thus in course of time, domes of wet, spongy, elastic bog arise, composed of an intimate admixture of three elements,—the dead and living stems and twigs of vegetation, fine, sandy clay, and the peroxide of iron of the spring water. These domes flatten as their bases expand and sometimes cover a quarter of an acre of the ground, where that is favorable to their reception; for this purpose is required an even, broad and very gently sloping terrace in front of an escarpment of ferruginous sandstone based on clay or coal or on some considerable bed of iron ore. When drained and dried these spongy masses make a favorite fluxing ore for the charcoal furnaces in their neighborhood; but owing to the sulphur they commonly contain make other neutral ores run red-short, and, therefore, should be mixed only with cold short sand ores. By one of these happy adaptations which excite our pleasurable admiration for the laws which govern the material world, these bog deposits fortunately are most common in regions which exhibit heavy alluvial ores of cold short temper."

The ores of this nature mentioned above, as the "dome" and formed by a mechanical process, are found mostly in the northwestern part of Delaware in the vicinity of Iron Hill. Professor James C. Booth in his report of 1841 says:

"This elevation consists of clays, sand and gravel, and derives its name from the abundance of boulders of iron-stone and ferruginous quartz scattered over its flanks, the latter of which was probably at one time of good quality, but through exposure to atmospheric agents, has been rendered valueless. An excavation has been made on the summit for the extraction of iron ore to the depth of 40 to 50 feet, which enables us to estimate the character of this singular hill. . . .

"Nodules of iron ore are abundantly distributed through the whole formation; it is of a chestnut-brown color (sometimes bluish-black from the presence of manganese), hard and tough; may be considered a moderately hard ore, being both siliceous and argillaceous; the nodules frequently enclose an ochrey clay, more rarely a black earth containing manganese. Large quantities of the ore have already been exported."

Professor Lesley continues in regard to layer ore:

"But ore of another kind is deposited upon the white clay or white sand floor of peat bogs, lakes and swamps of every kind in tertiary, and other low and gravelly parts of the earth's surface. In Eastern Massachusetts the oldest furnaces were built to smelt such ores. In New Jersey and Delaware they have been wrought many years. The southern shore of Lake Erie is lined with furnaces built on deposits of this order. In true peat bogs a cake or pan of peroxide of iron is found at the bottom, and every tree-trunk is dyed black with it. The waters which feed these bogs bring into them from the ferruginous sand hills, by which they are inlocked, enough of iron to supply certain microscopic animals with the material they require

for their ferro-siliceous shields, and these, upon the death of the little creatures, fall in a fine powder to the bottom of the bog or are carried into the pores of the timber it contains."¹

The ores of this State are not, however, those formed in peat swamps but are better described by Professor James C. Booth in his report in 1841. Under the head of "Upper Sands," he writes:

"The ores of iron found in various parts of Sussex County in considerable quantity, and particularly on the dividing ridge, claim attention as having yielded and still introducing some revenue into the State. The most remarkable are those situated a few miles northwest of Georgetown, near the sources of several streams flowing westerly, which, being on elevated and level land, spread themselves in broad and shallow basins covered with a stratum of black argillaceous mould. The ore found below this black soil is of various kinds, hard or solid, gravelly and loam ore. The hard variety, which exists in great abundance, forms a solid substratum to the mould from six to eight inches or more in thickness; it is hard, moderately tough, of a rich brown color and resinous lustre, with an uneven, conchoidal fracture; sometimes compact; often cellular in structure; composed essentially of peroxide of iron and water. An analysis of this variety of ore from the Clowes bed (in the western part of Broadkiln Hundred), performed by E. Mayer, yielded peroxide of iron, 80 per cent.; water, 15 per cent.; silica, 5 per cent., and of alumina a trace, which may be viewed as the average composition of the same kind found in other localities. The amount of metallic iron in the above is 55½ per cent., but when subjected to roasting the remaining ore will yield nearly 66 per cent. The gravelly ore consists of irregular masses of a similar ore of the size of a nut and smaller, disseminated in a yellow ferruginous loam, but containing rather more argillaceous matter, is softer and more readily worked.

"The loam ore, which is still softer than the preceding, is a yellow ochre or clay highly charged with hydrated peroxide of iron. For working in the furnace the several kinds are mingled together, which not only facilitates the reduction by fluxing, but results in the production of a better quality of iron. Various names have been given to the ores of Sussex, more dependent on differences in their external form and other characters of the ore, which first renders itself perceptible in the metal; it is that matter which forms a cold, short metal, and, in all probability, is a compound of phosphorus or arsenic, but analysis has not hitherto detected

¹ "Ehrenberg has detected in the ochreous matters that form bog iron ore immense numbers of organic bodies which indeed make up the substance of the ochre. They consist of slender articulated plates or threads partly siliceous and partly ferruginous, of what he considered an animalcule, but which are now commonly regarded by naturalists as belonging to the vegetable kingdom."—*Appleton's Cyclopaedia*.

their presence in the ore. The hard or solid variety is very apt to produce such a metal, but by mixing with the softer kinds, the result is a good malleable iron when worked in a forge.

"Collins' ore bed, the lowest on the Green Meadow branch of Deep Creek (in Nanticoke Hundred), consists chiefly of a solid loam ore which is principally wrought at Collins' forge—a hard, compact ore, very rich in iron, but said to yield a cold, short metal, and of a small quantity of sandy ore. There are many other deposits of ore in various parts of Sussex, such as that on Green branch, about ten miles west of Millsborough, the best of which is in balls or nodules and yields good metal; that on Burton's branch, one mile west of the same town, making a cold, short iron; that on Little Creek, near Laurel, and others in which the characters are referable to those given above. . . .

"The raising of ore in quantity was commenced about 1814, since which time nearly 200,000 tons have been raised, about 190,000 of which were exported, introducing not less than \$600,000 into the State."

At the time Mr. Booth made his report little was known concerning the manufacture of iron before the Revolution and mining of the bog ores. A full account of the mining of ore and manufacture of iron will be found in histories of the hundreds in which the furnaces and forges were located.

THE QUATERNARY.—Overlying all of the formations of the State, and forming its soil, is a broad sheet of gravelly deposits, whose average thickness is about twenty-five feet. In New Castle County these gravels have received the name of Delaware gravels, from their identity with like deposits along the Delaware River valley. Here we distinguish two layers—an upper brick clay, called the Philadelphia brick clay, and an under red sand and gravel. The brick clay layer has a thickness varying from two to six feet, but with an average of about three feet. It varies from a stiff brick clay to a loam of remarkable richness, which forms the soil of New Castle County. It often becomes quite gravelly, containing frequently quartzose boulders and cobblestones of huge size. The red sand has an average thickness of about twenty feet, and is characterized by its color. The sand is often quite fine, again coarse and running into gravel; it shows frequent cross bedding, and indicates the agency of swift, shifting currents in its deposition. The Delaware gravels extend up the slopes of the Archean hills to an average elevation of two hundred feet, which represents the height of the waters of Quaternary time.

Over Kent County the gravels maintain an equal thickness; the brick-clay layer, however, becomes more sandy, and more generally a sandy

loam, this deposit forming the rich peach land of Kent County.

In Southern Kent County the two members of the Quaternary gravels merge into a single deposit of a highly gravelly or loamy character, this feature continuing over the whole of Sussex County.

To explain the mode of deposition of these gravels, we must understand that during the Glacial epoch, what is now the Delaware River had its source near Belvidere, at the lower limit of the ice sheet; that it stood one hundred and fifty feet higher than at present, and had a width of something like ten miles.

At the same time, what is now the Delaware and Maryland Peninsula, became submerged, forming an estuary, like the Chesapeake; into this the swollen Delaware River emptied, carrying with it its loads of detritus, which it spread out over the Peninsula.

Down this Quaternary river icebergs floated, carrying burdens of boulders, which they dropped at points over the entire State.

Besides this universal sheet of gravel covering all three counties, we find over the high Archean hills isolated patches of gravel, which are much older. This is called the Potomac formation by W. T. McGee, from its fine exposures along the Potomac River. McGee has shown that these isolated patches of gravel are contemporaneous with the plastic clays of the Lower Cretaceous, when the clays extended farther north, so as to reach over the high hills of Delaware.

The materials of the Potomac gravels are quite like those of the Delaware gravels, but the two can easily be distinguished, from the fact that the Potomac gravel patches reach an elevation of from three hundred to four hundred feet, while the Delaware gravels never reach that elevation, but have a maximum elevation of two hundred and twenty feet above tide.

CHAPTER III.

THE ABORIGINES.

A vast, mysterious, barbarian race, the aborigines of the Western Continent, emerged gradually from blank obscurity into the clear light of knowledge, and began to figure upon the pages of history with the other peoples of the earth, when the pioneer navigators of the Old World touched the shores of the New.

At the dawn of the historic era, which so far as

the region that we here treat of is concerned, had its first gleaming in the advent of Henry Hudson upon the Delaware and the North River, the Indians occupying the country watered by these great streams were chiefly of the Algonquins, Lenni-Lenape or, as they have been more commonly called, Delawares,¹ and the Andastes, Iroquois or Five or Six Nations.²

The former extended from the lower Hudson to the Potomac, but they appear to have been centralized upon the Delaware River and Bay, particularly the former, while their kinsmen the Nanticokes had their home upon the waters of the latter and occupied at that early period much of the territory now included in the southern parts of Delaware and Maryland and the eastern shore of the Chesapeake, in the latter region being interspersed with the Mangures or Mingoes; often these were called the Susquehannas. The Lenni Lenape may thus be said, in a general way, to have held dominion over the forest-covered hills and plains in what is now southeastern New York, nearly the whole of New Jersey, all of Pennsylvania east of the Susquehanna and much of the region included in the State which is the especial province of this work. It was not, however, an undisputed dominion. Their great northern neighbors, the Iroquois, were their implacable enemies, and often waged war against them, repeatedly reducing and humiliating them, so that by a century and a half after the first authentic knowledge of the Lenape was obtained, they had sunk into comparative insignificance. The Iroquois occupied the region of the Upper Hudson upon its west shore, and their villages sparsely dotted the wilderness northward, to and beyond the St. Lawrence, and westward to the great lakes, their principal population being within what is now the State of New York.

When Henry Hudson, in September, 1609, after entering and examining the Delaware Bay, skirted the Atlantic Coast, sailed up the royal river that bears his name and rode at anchor in the majestic tide, he touched the northern and eastern extremity of the land of the Lenape. The Indians whom he met there and upon the island where it came about that New York was built, were of that nation, and with them were some of their friends the Mohicans or Mohegans.

Full of simple sublimity and lofty poetry was

¹ "The name 'Delawares,' which we give to these people," says Heckewelder, "is known in their own language; * * they thought the whites had given it to them in derision but they were reconciled to it, on being told that it was the name of a great white chief, Lord de la Warre, which had been given to them and their river. As they are fond of being named after distinguished men, they were rather pleased, considering it as a compliment."

They called themselves Lenni Lenape, which means in their language "the original people."

The Dutch called them *Mohikandees*; the French, *Abenakis*.

² The "Five Nations" became the "Six Nations" about 1724, by the incorporation with their body of the refugee southern tribe, the Tuscaroras.

the conception these savages first formed of the strange pale-faced men, in dress, bearing and speech different from their own, who came in the "winged canoes" to their shores. In their astonishment they called out to one another, "Behold! the Gods are come to visit us!" They at first considered these hitherto unknown beings as messengers of peace sent to them from the abode of the Great Spirit, and welcomed and honored them with sacrificial feasts and with gifts. Hudson recorded that above the Highlands "they found a very loving people and very old men, and were well used."³ *English*

The gallant Dutch navigator and discoverer was not to be outdone in civility and generosity. He gave the wondering savages presents and put to their innocent lips bottles of spirits—very probably Holland schnapps gin,—thus introducing at the very inception of his acquaintance with them one of the destructive and important characteristics of civilization,—the art of becoming drunk. The savages reciprocated by extending the tobacco-pipe, and thus the Old World and the New each gave the other a much-prized new vice.

As has been heretofore intimated, actual knowledge of these people—their history—begins with the coming of Henry Hudson, and such information as we have concerning them in after-years is afforded by the other early adventurers and settlers along the Atlantic seaboard. Of the origin or derivation of the race—of its early movements—there is absolutely no data, only an illimitable field for wild conjecture; and concerning the affairs of the several nations, even during the period closely preceding the discovery and occupancy of the country, the Indians were able to give only vague and fanciful traditions, some of them corroborated as to essentials by evidence from other sources. Of this class is the Delawares' traditionary account of the migration of their people and the Mengwe or Iroquois from the far west to the east, which there is external evidence for believing in the main true. We present this with some other Delaware legends before drawing upon the accounts of the Dutch, Swedes and English for a description of the Indian character and manner of life.

The Lenape claimed great antiquity and superiority over other aboriginal nations. Indeed, the name Lenni Lenape (sometimes Renni Renappi) signifies "the original people" or "men of men"—a race of human beings who are the same that they were in the beginning, unchanged and unmixed. They asserted that they had existed from the beginning of time, and many Indian nations, the Miamis, Wyandots, Shawanese and more than

³ The Lenni Lenape handed down the tradition of their reception of the Dutch, and always maintained that none of the enemy—the Iroquois, or Five Nations—were present, though they sent for the Mohicans, to participate in the joyous occasion.

twenty other tribes or nations, admitted their antiquity and called them "Grandfathers." Their tradition of the advent of the nations upon the Delaware and the eastern sea-coast is poetical and interesting. They say that a great many hundred years ago their ancestors had dwelt in a far-away country beyond the Father of Waters—the *Mamasi Sipu*, or Mississippi—and near the wide sea, in which the sun sank every night. They had, very long before the white men came to their country traveled eastward, seeking a fairer land, of which their prophets had told them, and as they neared the western shore of the great Mississippi they met another mighty nation of men, of whose very existence they had been in ignorance. These people they say were the *Mengwe* or Iroquois, and this was the first meeting of these two nations, destined to remain in the east for centuries as neighbors and enemies. They journeyed on together, neither in warfare nor friendship, but presently they found that they must unite their forces against a common enemy. East of the Father of Waters they discovered a race called the Allegwi, occupying a vast domain, and not only stronger in number than themselves, but equally brave and more skilled in war. They had, indeed, fortified towns and numerous strongholds.¹ The Allegwi permitted a part of the emigrating nations to pass the border of their country, and having thus caused a division of their antagonists, fell upon them with great fury to annihilate them. But the main body of the allied *Mengwe* and *Lenape* rallying from the first shock, made resistance with such desperate energy that they defeated the Allegwi, and sweeping them forward as the wind does the dry leaves of the forest, they invaded the country, and during a long and bloody war won victory after victory, until they had not only entirely vanquished, but well-nigh exterminated them. Their country, in which their earth fortifications remained the only reminder of the dispersed nation, was occupied by the victors. After this both the *Mengwe* and the *Lenape* ranged eastward, the former keeping to the northward, and the latter to the southward, until they reached respectively the Hudson and the Delaware, which they called the *Lenape Wihit-tuck*, or River of the *Lenape*.² Upon its banks,

¹ By many this tradition of the emigration of the Lenni *Lenape* is believed to have a solid foundation in fact, and the Allegwi are regarded as being the Mound-Builders, whose vast works are numerous along the Mississippi, the Ohio and their tributaries.

² The DELAWARE RIVER was called by the Lenni-*Lenape* *Lenape-wihit-tuck*, i. e. the river of the *Lenape*. In the language of the Minsi *Delawares* the name was *Kit hahne*, or *Giecht-hanne*, signifying the main stream in its region of country. Other names for it in various Indian tongues were *Pontaxat*, *Chickohokee*, *Mariakitten* and *Mokerishkiiken*. The Dutch who were the first white people who sailed up the bay and river named the latter in contradistinction from the North or Hudson River *Zaydt*, or South River, and they also called it *Nassau River* and *Prince Hendricks* and *Charles River*. The Swedes referred to it as the *Svenska Rivier*, *Nya Sverige's Elf*, or *Nova-Sweedia Rivier* (now *Swedens River* or *New Swedeland Stream*). The English gave it the present name in honor of Lord de la Warre who was said to have passed the capes in 1610. The bay has also been respectively called *Newport*, *Meysand Godyn's Bay*.

and in the wild region watered by its tributaries, the *Lenape* found the land they had journeyed in quest of from the setting sun.

Myths as to their origin as members of the human family—their creation—existed among the *Delawares* in great variety, attesting the proneness of even this barbarian people, in common with all civilized races, to speculate upon the mystery of life and their longing to solve the unknowable. They claim that they emerged from a cave in the earth, like the woodchuck and ground squirrel; to have sprung from a snail that was transformed into a human being and instructed in the mysteries of woodcraft and the hunt by a beneficent spirit, and that subsequently he was received into the lodge of the beaver and married his favorite daughter. According to another legend, a woman fallen or expelled from heaven is hovering in mid-air over a chaos of angry waters, there being no earth to afford her a resting-place. At this critical juncture in the career of the *Lenape* progenitors, a giant turtle rose from the vasty depths and placed his broad and dome like back at her service, and she descended upon it and made it her abode. The turtle slept upon the surface of the globe-covering sea, barnacles attached themselves to the margin of the shell, the scum of the waters gathered floating fragments of sea-weed, and all of the *flotsam* of the primal ocean accumulated until the dry land grew apace, and after ages had passed, all of that broad expanse which constitutes North America had emerged from the deluge. The woman, worn with watching and with the loneliness of her situation, fell into a deep sleep of vast duration, broken only by a dream in which she was visited by a spirit from her last home above the skies, and of that dream the fruits were sons and daughters, from whom have sprung all the nations of the earth. In another legend the Great Spirit is represented as descending upon the face of the waters in the form of a colossal bird and brooding there until the earth arose, when, exercising its creative power, the Spirit brought into life the plants, the animals and, lastly, man, to whom was given an arrow imbued with mystic potency—a blessing and a safeguard. But the man, by his carelessness, lost the arrow, and the Spirit, grieved and offended, soared away and was no longer seen, and man had thereafter to follow the hunt by means of his own rude devices and combat nature to gain his living. Still another and very prevalent fiction of the *Lenape* ascribes to the demi-god *Manabozho* the creation of all the tribes of red men from the carcasses of various animals, reptiles and birds, as the bear, the beaver, the wolf, the serpent, the turtle, the crane, the eagle, etc. *Manabozho* (also called *Messou*, *Michaboo* and *Nanabush*) was the central figure in the Indian mythology; was the restorer of the world after the deluge, brought on by the wicked-

ness of the serpent Manitous or evil spirits; was regarded as working all of the mysterious changes in nature, and was supposed to be the king of the whole creation of beasts. He was the son of the west wind and a descendant of the moon. He sometimes appeared in the form of a wolf or a bird, and often in that of a man of majestic mien and stature, but his usual manifestation was in the shape of the Gigantic Hare. He had power over the magi; was, in fact, a sorcerer, and united in himself the qualities belonging to Prospero, Ariel and Puck, being sometimes actuated by a spirit of beneficence towards man, and again as an impish elf displaying in ingenious ways insatiable malice and malevolence.

The matter of the derivation of the Indian race has been as variously, if not as wildly and fancifully, speculated upon by scholars as by the red men themselves. William Penn gravely, and with complacent assurance, put forward the hypothesis that the so-called aborigines of America were descendants of the ten lost tribes of Israel, and men of much more pretension of study, and usually confining themselves to the few hard facts that are known concerning this people, have permitted themselves pleasing, if profitless, dalliance with various unsupported theories of their origin. Bancroft argues that a Calmuck or Mongolian immigration was not impossible and, indeed, not improbable, and this hypothesis has found many advocates. Spanish legends have been adduced to confirm this view. M. de Guignes, in a memoir read before the French Academy of Inscriptions, argued with considerable plausibility that the Chinese penetrated America in A.D. 458, and used the description and chart of Fou Sang in proof, and Charles G. Leland, of Philadelphia, eminent as an ethnologist and explorer of the hidden byways of history, has been fascinated by the same half-myth and lent it the approval of his partial credence in his republication of the story of the so-called island of Fou Sang and its inhabitants. De Guignes asserted that the Chinese were familiar with the Straits of Magellan and that the Coreans had a settlement on Terra del Fuego. Another Chinese immigration is assigned to A.D. 1270, the time of the Tartar invasion of the "Central Flowery Kingdom." China, Tartary, Siberia and Kamtschatka, with the Aleutian archipelago, formed a natural route for immigration, though none of the students and speculators who have given it consideration have succeeded in explaining how the hordes of savages were able to make their way through the frozen wastes of Alaska and British North America. Some students, as Williamson, think the Indians of Cingalese or Hindoo origin, and that the Occidental world was peopled from the Oriental world in pre-historic times is very generally admitted upon the strong ground of the close resemblance which the ancient

temples of Mexico and Peru bear to those of Egypt and India. But Egypt, India, China and Tartary have not been the only countries of the Eastern Hemisphere to which students of American antiquities have ascribed the origin of the red men. Wales, Ireland, Spain, Scandinavia, Phœnicia and other countries of the Eastern world have been pointed to in turn as the regions in which the mysterious movement of population finally spreading over North America had its origin. The most generally accepted theory is that the Indian race came originally from China. Humboldt thought that in time, "by greater diligence and perseverance, many of the historical problems" concerning this theory might "be cleared up by the discovery of facts with which we have hitherto been entirely unacquainted;"¹ but Prof. W. D. Whitney, one of the most advanced students of our time, is less sanguine. He says that it is "futile to attempt, by the evidence of language, the peopling of the continent from Asia or from any other portion of the world outside. . . . If our studies shall at length put us in a position to deal with the question of their Asiatic origin, we shall rejoice at it. I do not myself expect that valuable light will ever be shed upon the subject by linguistic evidence; others may be more sanguine, but all must, at any rate, agree that as things are, the subject is in no position to be taken up and discussed with profit." The author from whom we have quoted, notwithstanding his attitude upon this question of Indian origin, is a warm advocate of greater diligence in the study of American antiquities. "Our national duty and honor," he says, "are peculiarly concerned in this matter of the study of aboriginal American languages, as the most fertile and important branch of American archaeology. Europeans accuse us, with too much reason, of indifference and inefficiency with regard to preserving memorials of the race whom we have dispossessed and are dispossessing, and to promoting a thorough comprehension of their history."²

Reverting from what may seem a digression, to the matters of more immediate interest to the reader—to the Lenape or Delawares as the white man found them on the shores of the bay and river bearing their name—we find cause for regret that the first comers to these shores were not better observers and more accurate chroniclers. Hudson, Captain Cornelis Hendrickson, Captain Jacobson Mey, De Vries, Campanius, Acrelius, William Penn, Gabriel Thomas, Thomas Budd, George Alsop (of Maryland), and others among the early Dutch, Swedish and English adventurers and writers saw the Indians before they had undergone any material change from association

¹ *Common*, Vol. II., p. 610 (note).

² "Language and the Study of Languages," by Prof. W. D. Whitney.

with the civilized people, and before they had drunk in with Holland schnapps and English spirits very much of that knowledge which bred suspicion in the savage breast. Had these pioneers of the Delaware region been trained observers and investigators, able to divest themselves of prejudices and to have told what they learned intelligibly, they could have preserved many facts concerning the Indians which now are lost forever. Nearly all of these early writers give speculations, and dreams, and opinions, often exceedingly extravagant and ridiculous, instead of facts. They paid more attention to the Indian's astrology, and fable, and tradition, than to the Indian's manner of living, his social system and his language—the most necessary factor in ethnological study. Some of them mingled most outrageously false statements, made evidently in the utmost seriousness, with the few truths they chronicled. Of this class, the baldest falsifier was Thomas Campanius, of Stockholm, albeit a most interesting *raconteur*, and the preserver of some valuable facts as well as of many more or less interesting statements, exhibiting high inventive genius, as, for instance, Campanius' stories of the rattlesnake which could bite a man's leg off, and of the "sea spiders" (crabs) which had tails like edged swords, with which they could saw down trees. The way in which Campanius allows his imagination to enlarge upon and add to the marvels of the New World makes him worthy of the title Scandinavian Munchausen of the Delaware.

From the time of Hudson's voyage to the close of the seventeenth century there is frequent contemporary mention of the Delawares and their kinsmen, the Nanticokes (of whom we shall presently treat), and their neighbors the Mengwes, Minquas or Mingoes, known in Maryland as the Susquehannas, and later in Pennsylvania as the Conestogas. Captain Cornelis Hendrickson who explored part of the Delaware, in 1615-16,¹ met and traded with the Minquas (probably at the mouth of or upon the Christiana), and redeemed from them three Dutch prisoners. His intercourse with them was the beginning of the Delaware fur trade. In 1623 Captain Cornelis Jacobson Mey met them at the site of Gloucester, N. J., just below the place where Penn's great city was to be founded, and where he built Fort Nassau.

The first whites who formed a settlement in the lone, but lovely wilderness region now included in the bounds of Delaware—a little colony planted by David Pietersen De Vries, on the Hoornekill, near Lewes, in the year 1631—soon afterwards fell victims to the savages, though they wrought their own doom by initiatory acts of violence.²

When De Vries founded his colony, and at the time of his expedition in 1633 up the Delaware,

the Minquas, of the lower part of the Delaware-Maryland-Virginia peninsula, appear to have been at war with the Lenape, who were then chiefly confined to the eastern or New Jersey side of the Delaware Bay and River, and to the region along that part of the west shore now in Northern Delaware and Southwestern Pennsylvania. In 1638 the Swedes came to the Delaware (as will be more fully set forth in the next chapter), and founding the first permanent settlement within the region which is our especial province at Christiana (Wilmington), and subsequently establishing themselves at other points, began an active and extensive trade with the Lenape, Minquas and Nanticokes, for furs. They bought the land which they occupied, and appear to have lived with the Indians on very friendly terms. They were supplied with professional interpreters, and systematically sought the good-will of the Indians for the purpose of carrying on an advantageous trade with them. The Swedish governors seem to have understood how best to conciliate the Indians and retain their confidence, and they soon supplanted the Dutch in the esteem of the savages. They even exercised a protecting power over the Delawares and the Minquas, and when the Iroquois came down to wage war against the latter, in 1662, they were baffled by a regular fort, constructed by Swedish engineers, with bastions and mounted cannon.

With the Swedish Governor Printz, there came to the Delaware, in 1643, John Campanius³ (to whom allusion has heretofore been made), rendered prominent from being the first to translate Luther's catechism into the Indian language, from the fact that he was for six years a pastor of the Swedes, and last, but not least, because of his keeping a journal from which his grandson, Thomas Campanius, wrote his famous "Description of the New Province of New Sweden,"⁴ illustrated with cuts and maps made by the Swedish engineer Lindstrom, several of which are reproduced in this work. From Campanius we glean some interesting information concerning the Indians taking care to exclude much that is clearly erroneous. He states that the Swedes in his time had no intercourse except with "the black and white Mengwes"—an expression it is difficult to understand. The Minquas, or Susquehannas, had their chief population upon the river bearing their name, and in the region now Cecil County, Maryland (where they were regularly visited by the Swedish traders), but they are known also to have been quite numerous at times upon the Christiana and Brandywine, and thus in the immediate

¹ This name is sometimes printed John Campanius Holm, the last name being added to signify Stockholm, of which city he was a native. Where it so occurs it is equivalent to John Campanius, of Holm or Stockholm.

² A copy of the original Swedish edition of this work, published at Stockholm in 1639, is in the library of the Delaware Historical Society.

³ See next chapter.

neighborhood of Fort Christina. What is meant by "black and white Minquas," however, is not even a matter for intelligent conjecture—though this is not surprising—in the writings of the Swedish chaplain. Notwithstanding the fact that he disclaims intercourse except with the Minquas, he calmly enters upon a description of the life, manners and customs of the Lenape, whom he accuses of being cannibals, as, in truth, were nearly all tribes of American Indians, but only upon rare occasions.

The attitude of the Indians of the Delaware towards the early Swedish settlers is shown in an account of a council which they held while Printz was Governor, probably about 1645, given in Campanius' work and undoubtedly authentic in its essential statements. The council was called by the Sachem Matta Horn, who owned the ground on which Wilmington stands, and sold that upon which Fort Christina was built. At the time of the council most of the inhabitants along the Delaware were Swedes, but there were a few Hollanders in the country. Matta Horn is represented as calling first his son, Agga Horn, and afterwards upon other chiefs and warriors, to ascertain the opinion of his people as to the advisability of allowing the white men to dwell peacefully in the country, or fall upon and disperse them. The dialogue which ensues is thus represented by Campanius:



DELAWARE INDIAN FAMILY.
(From Campanius' "New Sweden.")

Father Matta Horn.—Where are the Swedes and the Dutch?
Son Agga Horn.—Some of them are at Fort Christina, and some at New Gottenberg.
Father.—What do the Swedes and the Dutch say now?
Son.—They say, why are the Indians so angry with us? Why do they say they will kill all of us Swedes, and root us out of the country? The Swedes are very good. They come in large fast sailing ships, with all sorts of fine things from Swede's country, or old Sweden.
F.—Go round to the other chiefs and to the common men, and hear what they say.
S.—They say, you Indians and we (Swedes, and Dutch, and English) are in friendship with each other. We are good men. Come to us. We have a great deal of cloth, kettles, gunpowder, guns and all that you may want to buy.
F.—I understand. What do you say about this, Agga Horn, my son?
S.—I say that I think it best not to fall upon them, because the Swedes are skillful warriors.
F.—My son, you must go about here and there, to our good friends, the chiefs and common men, and engage them to come immediately here to me, that we may consult together as to what we shall do.
S.—It is well, I will go.
F.—Do that, but don't be long away.
The son comes again and salutes his father.
S.—Father Matta Horn, I have done what you ordered me.
F.—Well, my son, what answered the officers?
S.—They answered that they would come here to us, the day after to-morrow.
F.—You, my son, Agga Horn, may go with the men to shoot some deer in the woods. Perhaps the good gentlemen (sic) may be hungry when they come.
S.—I understand that well, I will go immediately out hunting.
After being hunting, he returns with venison.
F.—Have you been hunting?

S.—Yes, I have.
F.—What have you done?
S.—We have killed two elks, and as many deer as will be wanted.
F.—Have you shot no turkeys?
S.—I shall have also, twelve turkeys.
F.—Enough, enough.
The people are now assembled in Council.
Sachem.—Are you here, good friends?
Warriors.—Yes, we are.
Sachem.—That is well, you are welcome. Sit down and rest.
Warriors.—With pleasure, for we are much tired.
Sachem.—Are you also hungry?
Warriors.—Yes, may be we are hungry.
Sachem.—I know you have gone a great way, so you must be very hungry. We shall have meat presently.
Warriors.—That will do for us.
Sachem.—Here, you have to eat. Eat all, ye good friends.
Warriors.—Yes, we will do our best. Give us meat.
Sachem.—Do you also want drink?
Warriors.—Yes, give us drink. This is sweet and good water. We are now well satisfied. Thanks, thanks.
Sachem's Speech to the Warriors.—My good friends, all of you don't take it amiss that my son has called you to this place. The Swedes dwell here upon our land, and they have many fortresses and houses for their habitation. But they have no goods to sell to us. We can find nothing in their stores that we want, and we cannot trade with them. The question is, whether we shall go out and kill all the Swedes, and destroy them altogether, or whether we shall suffer them to remain? Therefore, I am glad that you came here, that we may consult together on this subject. You chiefs and warriors, what advice do you give? What shall we do with the Swedes? They have no cloth, red, blue, or brown. They have no kettles, no brass, no lead, no guns, no powder. They have nothing to sell us; but the English and Dutch have got all sorts of merchandize.
Some of the Chiefs answer.—We are for the Swedes, we have nothing against them.
Another Chief answers.—It would be well to kill all the Swedes; for they have nothing in their stores, for which we can trade with them.
A common warrior says: Wherefore, should we kill all the Swedes, and root them out of the country? They are in friendship with us. We have no complaint to make of them. Presently they will bring here a large ship full of all sorts of good things.

Others answer.—You talk well, we common warriors agree with you. Then, we shall not kill all the Swedes, and not drive out of the country.

Others reply.—No, by no means. For the Swedes are good enough, and they will shortly have here a large ship full of all sorts of goods.

The King's decision.—Right so. We, native Indians, will love the Swedes, and the Swedes shall be our good friends. We, and the Swedes, and the Dutch, shall always trade with each other. We shall not make war upon them and destroy them. This is fixed and certain. Take care to observe it.¹

A sachem ruled over each tribe, the office being hereditary upon the mother's side. "When a king or sachem died it was not," says Campanius,² "his children who succeeded him, but his brothers by the same mother, or his sisters or their daughters; male children, for no female could succeed to the government." It was customary, when any act of importance was to be entered upon, as the sale of land or making of war or peace, for the sachem to summon a council consisting of the wise men and also of the common people. In making a treaty of peace or friendship, they were accustomed to give to those with whom they were making it a pipe to smoke, which act being performed, the treaty was regarded as concluded and sacredly sealed. Their punishments usually consisted of fines. "A murderer," says Campanius, "may be forgiven on giving a feast or something else of the same kind; but if a woman be killed, the penalty is doubled, because a woman can bring forth children and a man cannot." Nearly all authorities seem to agree with the Swedish chronicler that murder was very uncommon among the Indians until "the white man came, when, under the influence of intoxication from the liquor they sold them, several were committed by the Indians. When they committed murder under those circumstances they excused themselves by saying it was the liquor that did it."

Another writer³ gives some interesting facts concerning the relation of drunkenness and crime among the Indians, prefacing his local facts with the remark that intoxication was to them (the Indians) a new sensation; they did not come to it by slow and imperceptible degrees, . . . but plunged at once into the vortex and madness was the consequence." In the year 1668 some Indians in a state of intoxication attacked and murdered the servants of one of the settlers near where Burlington, N. J., now stands on the Delaware. "The Indians when sober appear to have been ever anxious to live on terms of friendship with the whites. Accordingly, we find that in this instance, as they had previously done in many others, they determined to bring the offenders to justice. Having ascertained who the murderers were, they arrested the chief of them, a man by the name of Tashiwycan, shot and brought his body to Wicacoa,⁴ from whence it was taken to New Castle and there hung in

chains." It is a notable fact that after this event the Indians themselves requested that an absolute prohibition of the sale of liquor to the Indians should be ordered along the entire length of the Delaware. Governor Lovelace in 1671 actually prohibited, upon pain of death, the selling of spirits and powder and lead to the Indians, but the law was inoperative, for we find that these very articles were the principal considerations in land purchases from the Indians almost immediately after the proclamation, and continued to be for a century.

Resuming our extracts from Campanius' work, though this time it is the engineer and map-maker Lindstrom who is quoted by the former, we find a description of one of the Indians' great hunts.—

"As soon as the winter is over they commence their hunting expeditions, which they do in the most ingenious manner. They choose the time when the grass is high, and dry as hay. The Sachem collects the people together, and places them in a circumference of one or two miles, according to their numbers; they then run out all the grass around that circumference, to the breadth of about four yards, so that the fire cannot run back upon them; when that is done, they set the grass on fire, which of course extends all round, until it reaches the centre of the circumference. They then set up great entices, and the animals fly toward the centre, and when they are collected within a small circle, the Indians shoot at them with guns and bows, and kill as many as they please, by which means they get plenty of venison. When the grass has ceased to grow, they go outside the woodland about the animals which they find there, in which they have not much trouble, for their sense of smelling is acute so that they can smell them like hounds. Their *Sa-lou* comes a turkey to be hung up in the air, of which the birds being taken out and the belly filled with money, he who shoots the bird down gets the money that is within it."⁵

The weapons of the Indians were stone hatchets, the bow and arrow and the war-club, and these primitive articles served them in the chase and in their battles with each other until they obtained



HORNBLENDE AXE.

guns and powder and lead, knives and iron tomahawks, the Delawares, Susquehannas, Nanticokes and some other tribes from the Dutch and Swedes and English, and the Iroquois of New York from the French. Their bows were made usually of the limbs of trees about six feet in length, and then strings were made of the sinews and skins and intestines of animals. Their arrows were reeds from a yard to a yard and a half long. They were winged with feathers, and in the end was fixed a hard piece of wood, in which was set a flint, a piece of bone or horn or sometimes the sharp tooth of an animal or large fish, which was securely fastened in with tough ligaments and fish glue. When they went to war each brave provided himself with a bow, a quiver full of arrows and a club, and they painted themselves and placed upon their heads red feathers as the insignia of blood. They fortified

¹ Campanius, pp. 153-156.

² William Hutton's Delaware Register. Vol. 1 p. 262.

³ Wicaco, the Swedish settlement on the site of Philadelphia.

⁵ Campanius' "New Sweden," p. 128.

some of their houses or groups of huts against the sudden attacks of their enemies. Campanius says the Minquas had "a fort on a high mountain about twelve miles from New Sweden"¹ (Fort Christina, on the Christiana River, at the site of Wilmington),



GROOVED HAMMER,
With handle.



POLISHED AXE.

possibly meaning at Iron or Chestnut Hills, near Newark. He says "they surrounded their houses with round or square palisades made of logs or planks, which they fasten in the ground." Parkman²



FLINT KNIFE,
3½ by 3 inches.



FLINT KNIFE,
8 by 3½ inches.

more fully describes the mode of erecting these defenses. First, a ditch was dug around the village, the earth being thrown up on the inside. The trees of which the posts of the palisades were



CEREMONIAL STONE OF GREEN.

were burned down and the trunks and larger branches partly cut through by fire, the work being finished by hacking them with such rude tools as the Indians possessed. The logs were then placed upright in the embankment, in one or several concentric rows, those of each row, if the latter plan

was pursued, being bent towards each other until they intersected. Where the palisades crossed, a gallery of timber was thrown up for the defenders to stand upon. In some cases the palisades were placed perpendicularly in rude post-holes, and the earth from the ditch thrown up against them. None of these forts were regularly built or gave the appearance of any considerable strength, except where the Indians had the assistance of European soldiers.

Their lodges, according to Campanius, they constructed in this way: "They fix a pole in the ground and spread their mats around it, which are made of the leaves of the Indian corn matted together; then they cover it above with a kind of roof made of bark, leaving a hole at the top for



DELAWARE INDIAN FORT.
(From Campanius' "New Sweden.")

smoke to pass through; they fix hooks in the pole on which they hang their kettles; underneath they put a large stone to guard themselves from the fire, and around it they spread their mats and skins on which they sleep. For beds, tables and chairs they use nothing else; the earth serves them for all these purposes. They have several doors to their houses, generally one on the north and one on the south side. When it blows hard, they stop up one of them with bark, and hang a mat or skin before the other." The Delawares, intimates our Swedish observer, had few towns or fixed places of habitation (though, as a matter of fact, they did have some permanent abiding-places), and he continues: "They mostly wander about from one place to another, and generally go to those places where they think they are most likely to find the means of support. . . . When they travel they carry their meats with them wherever they go and fix them on poles, under which they dwell. When they want fire, they strike it out of a piece of dry wood, of which they find plenty; and in that manner they are never at a loss for fire to warm themselves or to cook their meat."

The huts of the Lenape and other Indians of the region which we are considering could not have been very comfortable in winter. The smoke from

¹ Campanius, p. 127.

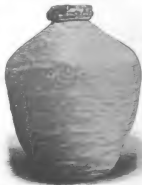
² Francis Parkman, in Introduction to "The Jesuits in America."

their fires had no outlet save irregularly through a hole in the roof, and the interiors were stained and dingy, and the half-stifling air so filled with pungent and acrid odors as to cause much inflammation of the eyes and blindness in old age. The fleas and other vermin were numerous and pestiferous, and noise and confusion reigned supreme in the closely-huddled family circle. Parkman draws a vivid picture of a lodge on a winter night, alternately in glow and gloom from the flickering flame of resinous woods that sent fitful flashes through the dingy canopy of smoke, a bronzed group encircling the fire, cooking, eating, gambling, quarrelling or amusing themselves with idle chaff; grizzled old warriors, scarred with the marks of repeated battles; shriveled squaws, hideous with toil and hardship endured for half a century; young warriors with a record to make, vain, boastful, obstreperous; giddy girls, gay with paint, ochre wampum and braid; "restless children pell-mell with restless dogs."

Of foods the Indians had, besides their game and fish, fresh and dried, melons, squashes and pumpkins, beans, peas and berries, of which they dried many for winter use, and several roots and plants of which they ate largely, and they all raised corn, the Indians along the Lower Delaware, and in Maryland, Pennsylvania and Virginia especially, paying considerable attention to its cultivation. They ground it in the hollow places of rocks either naturally or artificially formed, mixed the coarse cracked kernels with flour, and baked the paste in cakes upon the ashes. While engaged in the chase or traveling along distances they carried pouches full of parched corn for their sustenance. They had, too, the *tuckahoe* (the *petuk-guung* of the Delawares and the *tangouk* of the Minquas), called by the whites the "Indian loaf," a curious root supposed by some to be a sort of truffe. It was of the form of a flattened sphere, and varied in size from an acorn to the bigness of a man's head. It was roasted in the ashes, as was also the Indian turnip, which, thus deprived of its pungency, made a wholesome food.

The Indians of Campanius' time had well-nigh given up the manufacture of pottery, for the cooking utensils they secured from the Europeans served their purpose better. They were perfect strangers to the use of iron, and their own tools were rude and poor, strictly speaking, being those of the stone age. Charles Thompson, who had an intimate knowledge of the Indians, but who, unfortunately, wrote but little about them, says in an essay:¹ "They were perfect strangers to the use of iron. The instruments with which they dug up the ground were of wood, or a stone fastened to a handle of wood. Their hatchets for cutting were

of stone, sharpened to an edge by rubbing, and fastened to a wooden handle. Their arrows were pointed with flint or bones. What clothing they wore was of the skins of animals taken in hunting, and their ornaments were principally of feathers."



HAND-MADE AND FINGER-MARKED VESSEL OF POTTERY.

Their skill in some kinds of domestic industry is attested by Campanius, who says:

"They can tan and prepare the skins of animals, which they paint afterwards in their own way. They make much use of painted feathers, with which they adorn their skins and bed-covers, binding these with a kind of net-work, which is very handsome and fastens the feathers well. With these they make light and warm covering and clothing for themselves; with the leaves of Indian corn and reeds they make purses, mats and baskets. . . . They make very handsome and strong, mats of fax roots, which they paint with all kinds of figures; they hang their sails with these mats and make excellent bed-clothes of them. The women spin thread and turn out of wattle, hemp and some plants unknown to us. Governor Printz had a complete suit of clothes, with coat, breeches and belt, made by these barbarians with their wampum, which was curiously wrought with figures of all kinds of animals. . . . They make tobacco pipes out of reeds, about a man's length; the bowl is made of horn, and to contain a great quantity of tobacco. They generally present those pipes to their good friends to smoke. . . . They make their ornaments of red, yellow and blue clay, of which there is a great quantity in the country; also of white, grey, green, brown, black and blue stones, which are so soft that they can be cut with a knife. . . . Their headbands made of the bark of cedar and birch trees, bound together and lashed very strongly. They carry them along wherever they go, and when they come to some creek that they want to get over they launch them and go whither they please. They also used to make boats out of cedar trees, which they bored inside and scraped off the curls with sharp stones, bones, or mussel shells."



ORNAMENTAL POTTERY.

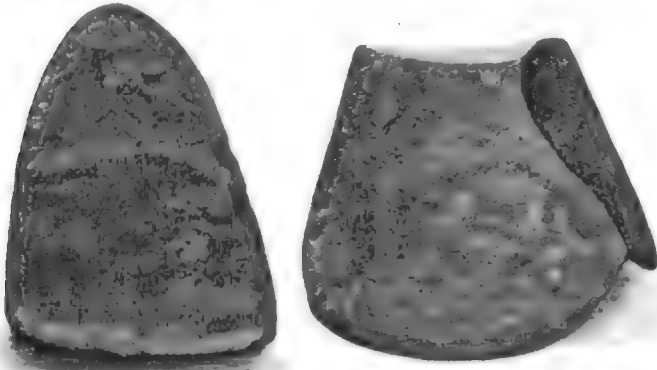
The dress and adornment of the Indian, according to the always trustworthy Thompson, exhibited many peculiarities:

"They all painted or daubed their face with red. The men suffered only a tuft of hair to grow on the crown of their head; the rest, whether

¹ "Essay upon Indian Affairs" (a fragment), published in Transactions of the Pennsylvania Historical Society.

on their heads or faces, they prevented from growing by constantly plucking it out by the roots, so that they always appeared as if they were bald and beardless. Many were in the practice of marking their faces, arms and breast by pricking the skin with thorns and rubbing the parts with a fine powder made of coal (charcoal), which, penetrating the punctures, left an indelible stain or mark, which remained as long as they lived. The punctures were made in figures according to their several fancies. The only part of the body which they covered was from the waist half-way down the thighs, and their feet they guarded with a kind of shoe made of hides of buffaloes or deer-skin, laced tight over the instep and up to the ankles with thongs. It was and still continues to be a common practice among the men to slit their ears, putting something into the hole to prevent its closing, and then by hanging weights to the lower part to stretch it out, so that it hangs down the cheek like a large ring."

Wampum and war and peace belts are described by the same writer:



FLESHER WITH HANDLE.

POLISHED FLESHER.

"Instead of money they used a kind of beads made of conch shell manufactured in a curious manner. These beads were made, some of the white, some of the black or colored parts of the shell. They were formed into cylinders about one-quarter of an inch long and a quarter of an inch in diameter. They were round and highly polished and perforated lengthwise with a small hole, by which they strung them together and wove them into belts, some of which, by a proper arrangement of the beads of different colors, were figured like carpeting with different figures, according to the various uses for which they were designed. These were made use of in their treaties and intercourse with each other, and served to assist their memory and preserve the remembrance of transactions. When different tribes or nations made peace or alliance with each other they exchanged belts of one sort; when they excited each other to war they used another sort. Hence they were distinguished by the name of peace belts or war belts. Every message sent from one tribe to another was accompanied with a string of these beads or a belt, and the string or belt was smaller or greater according to the weight and importance of the subject. These beads were their riches. They were worn as bracelets on the arms and like chains round the neck by way of ornaments."

William Penn's observations and opinions of the Indians are interesting and well worth reproduction in these pages, for he not only first saw the natives of the New World on the shores of the Delaware (at New Castle), but those whom he afterwards had opportunity of minutely studying at Philadelphia were of the same people, and doubtless, in many cases, the same individuals who lived in the region which now constitutes the northern part of this State. In a letter to Henry Sewell, dated Philadelphia, 30th of Fifth Month, 1683, he thus chronicles his impressions:

"The natives are proper and shapely, very swift, their language lofty. They speak little, but fervently and with elegance. I have never seen more natural sagacity, considering them without *y^e* help—I was going to say *y^e* *spyle*—of tradition. The worst is that they are *y^e* worse for *y^e* Christians who have propagated their views and yielded them tradition for *y^e* worse & not for *y^e* better things, they believe a Diety and Immortality without *y^e* help of metaphysics & some of them admirably sober, though *y^e* Dutch & Swedish and English have by Brandy and Rum almost debauched *y^e* all, and when Drunk *y^e* most wretched of spectacles, often burning & sometimes murdering one another, at which times *y^e* Chris-

tians are not without danger as well as fear. Tho' for gain they will run the hazard both of *y^e* and *y^e* Law, they make their worship to consist of two parts, sacrifices w^h they offer of their first fruits with marvellous fervency and labour of holy sweating as if in a bath, the other is their Canticles, as they call them, w^h is performed by round dances, sometimes words, then songs, then shouts, two being in *y^e* middle *y^e* begin and direct *y^e* chorus; this they perform with equal fervency but great appearances of joy. In this I admire them, nobody shall want w^h another has, yett they have propriety (property) but freely communicable, they want or care for little, no Bills of Exchange nor Bills of Lading, no Chancery suits nor Exchequer Act, have they to perplex themselves with, they are soon satisfied, and their pleasure feeds them,—I mean hunting and fishing."

A much fuller description of the red men of the Delaware was given by Penn in a letter to the Free Society of Traders, written in August, 1683. The natives, he says, are generally tall and straight,

"well built, and of singular proportion (*i. e.*, of symmetry); they tread strong and clever, and mostly walk with a lofty chin. Of complexion black, but (by design, as the gipsies in England. They grease themselves with bear's fat clarified, and using no defense against sun and weather, their skins must needs be sallow. Their eye is livid and black, not unlike a straight-looking Jew. The thick lips and flat nose, so frequent with the East Indians and blacks, are not common to them; for I have seen as comely European-like faces among them, of both sexes, as on your side the sea; and truly an Italian complexion hath not more of the white; and the noses of several of them have as much of the Roman. Their language is lofty, yet narrow; but, like the Hebrew, in signification full. Like short-hand in writing, one word serveth in the place of three, and the rest are supplied by the understanding of the hearer; imperfect in their tenes, wanting in their moods, participles, adverbs, conjunctions and interjections. I have made it my business to understand it, that I might not want an interpreter on any occasion; and I must say that I know not a language spoken in Europe that hath words of more sweetness or greatness, in accent and emphasis, than theirs; for instance, *Octockekon*, *Raucucas*, *Orieton*, *Shak*, *Marian*, *Poquesian*, all which are names of places, and have grandeur in them. Of words of sweetness, *anna* is mother; *amamuz*, a brother; *netap*, friend; *usquoret*, very good; *pine*, bread; *metan*, eat; *matin*, no; *halla*, to have; *pape*, to come; *Sejamen*, *Pamijon*, the names of places; *Tamane*, *Secane*, *Menane*, *Secatarens*, are the names of persons. . . .

"Of their customs and manners there is much to be said. I will begin with children. So soon as they are born they wash them in water, and while very young and in cold weather to chouse, they plunge them in the rivers to harden and embolden them. Having wrapt them in a clout, they lay them on a strait thin board a little more than the length and breadth of the child, and swaddle it fast upon the board to make it straight; wherefore all Indians have flat heads; and thus they carry them at their backs. The children will go [walk] very young, at nine months commonly. They wear only a small clout around their waist till they are big. If boys, they go a-fishing till ripe for the woods, which is about fifteen. There they hunt; and having given some proofs of their manhood by a good return of skins, they marry; else it is a shame to think of a wife. The girls stay with their mothers, and help to hoe the ground, plant corn and carry burthens; and they do well to use them to that, while young, which they must do when they are old; for the wives are the true servants of the husbands; otherwise the men are very affectionate to them. When the young women are fit for marriage they wear something upon their heads for an advertisement, but so as their faces are hardly to be seen but when they please. The age they marry at, if women, is about thirteen and fourteen; if men, seventeen and eighteen. They are rarely older. Their houses are mats or barks of trees, set on poles in the fashion of an English barn, but out of the power of the winds, for they are hardly higher than a man. They lie on reeds or grass. In travel they lodge in the woods about a great fire, with the mantle of duffils they wear by day wrapt about them and a few boughs stuck round them. Their diet is maize or Indian corn divers ways prepared, sometimes roasted in the ashes, sometimes beaten and boiled with water, which they call *homisee*. They also make cakes not unpleasant to eat. They have likewise several sorts of beans and peas that are good nourishment, and the woods and rivers are their lander. If an European comes to see them, or calls for lodging at their house or wigwam, they give him the best place and first cut. If they come to visit us they salute us with an *Hak!* which is as much as to say, 'Good be to you!' and set them down, which is mostly on the ground, close to their heels, their legs upright; it may be they speak not a word, but observe all passages [all that passes]. If you give them anything to eat or drink, well, for they will not ask; and, be it little or much, if it be with kindness, they are well pleased; else they go away sullen, but say nothing. They are great concealers of their own resentments, brought to it, I believe, by the revenge that hath been practiced among them. In either of these they are not exceeded by the Italians. . . . Some of the young women are said to take undue liberty before marriage for a portion; but when married, chaste. . . .

¹ Pennsylvania Archives, Vol. I. pp. 68, 69.

"But in liberality they excel; nothing is too good for their friend; give them a fine gun, coat, or other thing, it may pass through twenty hands before it sticks; light of heart, strong affections, but soon spent. The most merry creatures that live, feast and dance perpetually; they never have much, nor want much; wealth circulates like the blood; all poets partake; and though none shall want what another hath, yet exact observers of property. Some kings have sold, others presented me with several parcels of land; the pay or presents I made them were not heeded by the particular owners, but the neighboring kings and their clans being present when the goods were brought out, the parties chiefly concerned consulted what and to whom they should give them. To every king sent, by the hands of a person for that work appointed, is a proportion went, an sorted and folded, and with that gravity that is admirable. Then that king subdivided it in like manner among his dependants. . . . They care for little, because they want but little; and the reason is, a little contents them. In this they are sufficiently retrained on us, if they are ignorant of our pleasures, they are also free from our pains. . . . Since the Europeans came into these parts they are grown great lovers of strong liquors, rum, especially, and for it they exchange the richest of their skins and furs. If they are heated with liquors they are restless till they have enough to sleep,—that is their cry,—*Now more and I will go to sleep*; but when drunk one of the most wretched spectacles in the world!



PIERCED RECORD
TABLET.



GROOVED HAMMER.

"In sickness, impatient to be cured; and for it give anything, especially for their children, to whom they are extremely natural. They drink at three times a day, or decoction of some roots in spring-water; and if they eat any fish, it must be of the female of any creature. If they die they bury them with their apparel, be they men or women, and the nearest of kin fling in something precious with them as a token of their love. Their mourning is blacking of their faces, which they continue for a year. They are choice of the graves of their dead, for, lest they should be lost by time and fall to common use, they pick off the grass that grows upon them, and heap up the fallen earth with great care and exactness. These poor people are under a dark night in things relating to religion; to be sure the tradition of it; yet they believe a God and immortality without the help of metaphysics, for they say, 'There is a Great King that made them, who dwells in a glorious country to the southward of them, and that the souls of the good shall go thither where they shall live again.' Their worship consists of two parts, sacrifice and canticle. Their sacrifice is their first fruits; the first and fattest back they kill with to the fire, where he is best burnt, with a mournful dirge of him that performs the ceremony, but with such carefree fancy and fervency and labor of body that he will even sweat to a foam. The other part is their canticle, performed by vocal dances, sometimes words, sometimes songs, then shouts, two being in the middle that begin, and by singing and drumming on a board direct the chorus. Their postures in the dance are very antick and differing, but all keep measure. This is done with equal earnestness and labor, but great appearance of joy. In the fall, when the corn month in, they begin to feast one another. There have been two great festivals already, to which all came that will. I was at one myself; their entertainment was a great one by a spring under some shady trees, and twenty bucks, with hot cakes of corn, both wheat and maize, which they make up in a square form in the leaves of the stem and bake them in the ashes, and after that they fall to dance. But they that go must carry a small present in their money; it may bewapage, which is made of the bone of a fish; the black is with them as gold, the white silver; they call it wampum.

"Their government is by Kings, which they call Sachans, and those by succession, but always on the mother's side. . . . Every King hath his Council, and that consists of all the old and wise men of his nation, which, perhaps, is five hundred people. Nothing of moment is undertaken, be it war, peace, selling of land, or traffick, without advising with them, and, which is more, with the young men too. It is admirable to consider how powerful the Kings are, and yet how they move by the breath of their people. I have had occasion to be in council with them upon treaties of land, and to adjust the terms of trade. Their order is thus: The King sits in the middle of an half moon, and hath his council, the old and wise, on each hand; behind them, or at a little distance, at the younger try in the same figure. Having consulted and

resolved their business, the King ordered one of them to speak to me; he stood up, came to me, and in the name of his King, saluted me; then took me by the hand and told me, 'He was ordered by his King to speak to me, and that now it was not he, but the King that spoke; because what he should say was the King's mind.' His first prayer me 'to excuse them, that they had not complied with me the last time, he feared they might be some fault in the Interpreter, being neither Indian nor English; besides, it was the Indian custom to deliberate and take up much time in council before they resolve, and that if the young people and owners of the land had been as ready as he, I had not met with so much delay.' Having thus introduced his master, he fell to the bounds of the land they had agreed to dispose of and the price, which now is little and dear, that which would have bought twenty miles not buying now two. During the time that this man spoke not a man of them was observed to whisper or smile, the old grave, the young reverent in their deportment. They speak little but fervently, and with elegance. I have never seen more natural majesty, considering them without the help (I was going to say the spell) of tradition, and he will deserve the name of wise that outwits those in any treaty about a thing they understand. When the purchase was agreed great promises passed between us, 'of kindness and good neighborhood, and that the Indians and English must live in love as long as the sun gave light,' which done, another made a speech to the Indians in the name of all the Sachmans or Kings, first to tell them what was done, next to charge and command them 'to love the Christians, and particularly live in peace with me and the people under my government'; that many governors had been in the river, but that no Governor had come himself to live and stay here before, and having now such an one, that had treated them well, they should never do him or his any wrong; 'at every sentence of which they shouted and said Amen in their way. . . .

"We have agreed that in all differences between us six of each side shall end the matter. Do not abuse them, but let them have justice, and you win them. The worst is that they are the worse for the Christians, who have propagated their views and yielded their traditions for ill and not for good things. But so low an ethic as these people are at, and as ignorant as their own condition looks, the Christians have not outlived their sight, with all their pretensions to a higher manifestation. What good, then, might not a good people graft where there is so distinct a knowledge left between good and evil? I beseech God to incline the hearts of all that come into these parts, to outline the knowledge of the natives, by a fixed obedience to their greater knowledge of the will of God, for it were miserable indeed for us to fall under the just censure of the poor Indians' conscience, while we make profession of things so far transcending.

"For their origin, I am ready to believe them of the Jewish race; I mean, of the stock of the ten tribes, and that for the following reasons: First, they were to go to a 'land not planted nor known'; which, to be sure, Asia and Africa were, if not Europe, and He that intended that extraordinary judgment upon them might make the passage not uneasy to them, as it is not impossible in itself, from the easternmost parts of Asia to the westernmost of America. . . ."

Gabriel Thomas discoursed of the Indians in a manner similar to Penn, but adds an interesting fact or two: "The English and the Indians," he says, "live together very peaceably, by reason that the English satisfies them for their Land. . . . The Dutch and Sweds inform me that they are greatly decreased in number to what they were when they came first into this country, and the Indians themselves say that two of them die to every one Christian that comes in here."

There is not much more that it is worth while to deduce from the coteremporary writers upon the Delawares, though we shall hereafter quote from George Alsop concerning the Minquas, Mingoes or Susquehannas. What we have extracted from the writings of Campanius, Penn and others, endeavoring to omit matters of minor importance and those which are clearly erroneous, affords quite a comprehensive view of the manners, customs, character and appearance of the supplanted race, in regard to whom there must be a constantly increasing interest as the years roll by.

"Historical Description of the Province and County of West New Jersey in America," London, 1698.

The language of the Lenni Lenape,—“the pure Castilian of the New World,”—in the opinion of several competent judges, is the most perfect of all the Indian tongues, although all of these belonged to what philologists regard as one of the lowest orders of speech—the incorporative or polysynthetic type. It is distinguished by beauty, strength



BIRD AND TORTOISE PIPE. DUCK'S HEAD PIPE. FLINTSKIN SCRAPER.

and flexibility. It has the power of compressing a whole sentence into a single word. This is done by taking the most important syllable of each word, and sometimes simply a single letter, combining them in slightly varying forms or with different terminations, the laws of euphony being observed, and thus forming a new word, expressing a variety of ideas. Nearly all of the Indian names, particularly those of the Lenape, are rich in rhythmical euphony, and some which are exceptions have doubtless received their harshness through imperfect rendering into English (or, in many cases, Dutch and Swedish).

The earliest Indian deed transferring lands in Delaware which is on record is dated May 4, 1679, and is preserved in the archives of the recorder's office in New Castle County. It is a deed for the island upon the Delaware, in Duck Creek Hundred, Kent County, known as Bombay Hook Island, of which Mechacksit, a sachem, was the grantor and Peter Bayard¹ the grantee. In the



BLACK FLINT KNIFE. FLINT PERFORATOR.

following, which is the full text of the deed, here reprinted as of antiquarian interest, the “anchor” of liquor mentioned as one of the items in the consideration was a Dutch measure, equivalent to about thirty-two gallons:—

“Be it known unto all men by these presents, that I, Mechacksitt, Chief Sachema of Cohonsluk, & sole Indian owner and Proprietor of all that Tract of Land commonly called by the Christians Bomplex Hook, and by the Indians Navsink, for & in consideration of one Gunn, fower handfulls of Powder, three Matscoats, one Anchor of liquor & one Kittle before the Ensigning and Delivery here of to me in hand paid, and Delivered by Peter Bayard, of New Yorke, wherewith I acknowledge and confesse myselfe to bee fully satisfied, contented and paid, therefore doe hereby Acquitt, Exonerate and fully Discharge the said Peter Bayard, for the same Have Given, Granted, Bargained, sold, assigned, Transported and Made over, and by these presents doe fully, Clearly and absolutely give, Grant, Bargaine, sell, assigne, Transporte & Make over unto him, the said Peter Bayard, his heirs and Assigns, all that part of Land Called Bomplex hook, ased lying and being on the west side of Delaware River and at the mouth thereof, Beginning at a Great Pond,

and a little Creeke issuing out of the said Pond being the uppermost bounds of the sd Lands & stretching downe along the sd River to Ducke Creek, Including and Comprehending all the Land, woods, underwoods, Marshes, Creeks & Waters between the said uppermost Pond and Creeke & Ducke Creek aforesaid, To have & to hold the said tract of Land, Marshes & Premises, with all and Singular the appurtenances, as also all the Right, Title and Interest of him, the sd Mechacksitt, his heirs and Assigns therein unto the said Peter Bayard, his heirs and assigns unto the sole and Proper use & behoofe of him, the said Peter Bayard, his heirs and Assigns forever.

“In witness whereof, hee, the said Mechacksitt, hath hereunto sett his Hand & Seale at New Castle, in Delaware, the 4th of May, 1679.

“Was subscribed The signing or mark of

MECHACKSIT (49)

“This is the mark of MORSSAPPENACHIN, the son of MECHACKSIT.

“Signed, sealed & Delivered in the presence of us.

“J. DENAES as Interpreter.

“JOHN ADAMS.

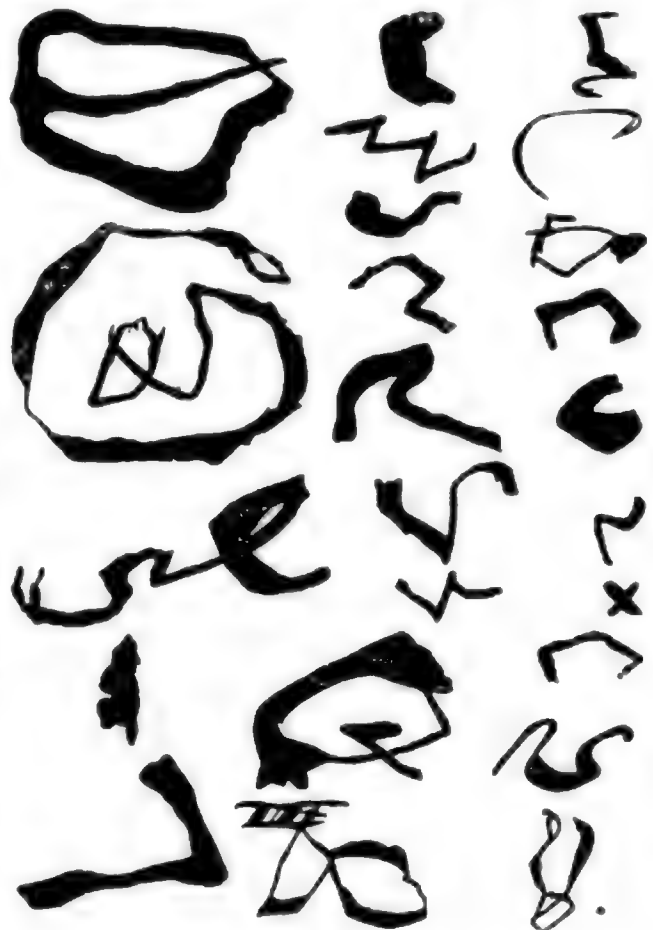
“A. WELLESBIE NABINGH.

“EPH HERMAN, cor.

“This above is a true copy of the original Deed Recorded and Examined

“EPH HERMAN.”

Another deed similiar to the one here given was made November 1, 1680, by the same sachem, Mechacksit, transferring to Ephraim Herman, “for two half ancers of drink, one blancquet, one matscoate, two axes, two knives, two double handfulls of powder, two barrs of lead, and one kittle,” a tract of land in Appoquinimink Hundred, in the lower part of New Castle County.² In conveying lands the Indian sachems usually signed their marks to the deeds of conveyance for the various tracts. The autographs of the most prominent Indian chiefs from 1682 to 1692 are shown below:



¹ Bayard, so far as European law was concerned, was the owner of the tract five years before the making of this deed, Governor Andros having deeded it to him December 16, 1675.

² This latter deed is published in Huffington's *Delaware Register*, Vol. II. p. 176, and is similar to the one here produced.

Something of the tribal division and later history of the vanished Lenape nation remains to be told. It is not probable that at any time after they became known to the whites the Delawares had in their whole region more than twenty-five to thirty thousand people or from five to seven thousand warriors. In 1759, but little more than a century from the time that the first knowledge of them was obtained, they had but six hundred fighting men between the Delaware and the Ohio. It is probable that their numbers had been greatly reduced, decimated time and time again by the Iroquois prior to the coming of the Dutch and Swedes and English among them. The Delawares were divided into tribes of which the most notable were the branches of the Turtle or Unamis, the Turkey or Unalachtgo, and the Wolf or Minsi (corrupted into Monsey). While the domain of the Lenape extended from the sea-coast between the Chesapeake and Long Island Sound back beyond the Susquehanna to the Alleghenies and northward to the hunting-grounds of the Iroquois, it seems not to have been regarded as the common country of the tribes, but to have been set apart for them in more or less distinctly-defined districts. The Unamis and Unalachtgo nations, subdivided into the tribes of Assunpink, Matas, Chichequas, Shackamaxons, Tuteloos, Nanticokes and many others, occupied the lower country toward the coast, upon the Delaware and its affluents. The Unamis were the greatest and most intelligent of the Lenape. They were a fishing people and to a larger extent planters than the other tribes, and equally skilled in the hunt. They had numerous small villages under minor chiefs, who were subordinate to the great council of the nation. They were less nomadic and more peaceable than the other tribes of Delawares.

The more warlike tribe of the Minsi or Wolf, as Heckewelder informs us, "had chosen to live back of the other tribes, and formed a kind of a bulwark for their protection, watching the motions of the Iroquois, or Six Nations, and being at hand to offer aid in case of a rupture with them. "The Minsi," continues the authority from whom we have quoted, "extended their settlements from the Minisink, a place (on the Delaware, in Monroe County, Pennsylvania) named after them, where they had their council-seat and fire, quite up to the Hudson on the east, and to the west and south far beyond the Susquehanna; their northern boundaries were supposed originally to be the heads of the great rivers Susquehanna and Delaware, and their southern that ridge of hills known in New Jersey by the name of Muskanecum, and in Pennsylvania by those of Lehigh, Coghnewago."¹

The Lenape and the Iroquois confederacy, as has been before remarked, were almost constantly

at war, but after the advent of the French in Canada, the Iroquois, finding that they could not withstand an enemy upon each side of them, shrewdly sought to placate the Lenape tribes, and, by the use of much skillful diplomacy, induced them to abandon arms and act as mediators between all the nations, to take up the peaceful pursuit of agriculture, and, by avoiding war, promote their own growth as a people, and at the same time exercise an influence towards the preservation of the entire Indian race. Into this trap, devised by the cunning Iroquois, they fell, and for a long period occupied, as they themselves expressed it, the position of *women* instead of *men*. The Five Nations, when opportunity presented itself, rewarded with treachery the confidence that the Lenape had reposed in them, and the latter, then resolving to unite their forces and by one great effort destroy their perfidious northern neighbors, again became *men*. This was before the era of the English in America had really begun, and the Lenape were diverted from their purpose by new and strange occurrences. The English came in great numbers to their coast. They received the new-comers kindly, as they had the Dutch, but in time the English, even the followers of Penn, turned from them and made friends with their enemy, the Iroquois, as the Dutch had done. They never ceased to revere the founder of Pennsylvania, *Miquon*, as they called him, but laid all of the subsequent wrong to mischievous people who got into power after their good brother had gone away, and who, not content with the land they had given them, contrived, they alleged, by every fraudulent means in their power, to rob them of all their possessions, and brought the hated Iroquois to humiliate them. They always maintained that they were insulted and treated in a degrading manner at treaties to which the English were parties, and particularly at that which took place at Philadelphia, in July, 1742, and at Easton, in November, 1746, when the Six Nations were publicly called upon to compel the Lenape to give up the land taken from them by the famous and infamous "Walking Purchase" of 1737. But for this and other outrages they declared they would not have taken up the tomahawk against the English in the so-called "French and Indian War" of 1755-63. It is possible that they would have remained neutral, notwithstanding their grievances, had they not been incited to enmity by the Iroquois. After the close of the war, in 1763, the Lenape withdrew altogether from the proximity of the white settlements into the wilds around the upper waters of the Susquehanna, and to Wyalusing, a hundred miles from the pioneer settlers of Pennsylvania. They did not long remain there, however, for the Iroquois sold the whole country to the English. Some of the *Minsis* or *Munseys* had

Heckewelder's "Manners and Customs of the Indian Nations"

gone before this to the head-waters of the Allegheny, and those of this tribe who were at Wyalusing joined them there. Subsequently the Lenape tribes were in Ohio, and a considerable number, chiefly of the *Minis*, in Upper Canada, while others were upon the waters of the Wabash, in Indiana. Between the years 1780 and 1790 they began to emigrate from those regions to the territory west of the Mississippi. The remnant of the race thus—if their legend was true—retraced the steps of their ancestors, made centuries before.

It would be improper to conclude this sketch of the Lenni Lenape without a few words upon its greatest and noblest character, the most illustrious and revered chief in the whole history of the nation—Tamanend or Tammany, who once lived somewhere in the territory now constituting the State of Delaware. Comparatively little is known of him. He lives principally in tradition, and his name has been perpetuated by frequent application to civic societies among the people who supplanted his race. He was a seventeenth century Indian, and is supposed to have died about the time of its close. In 1683 he, with a lesser chief, affixed their hieroglyphical signatures to a deed conveying to William Penn a tract of land in Bucks County, Pennsylvania.¹ While his home was doubtless for many years upon the Lower Delaware, and, there is reason to believe, near the Christiana, he doubtless moved northward as the English settlers encroached upon his domain, and it is traditionally asserted that he lived far up towards the head-waters of the river of his people in the extreme northeastern part of Pennsylvania.² Of the character of Tamanend, Heckewelder says: "He was in the highest degree endowed with wisdom, virtue, prudence, charity, affability, meekness, hospitality,—in short, with every good and noble qualification that a human being may possess," and Thatcher declares that the Indians "could only account for the perfections they ascribed to him by supposing him to be favored with the special communications of the Great Spirit."

The Nanticokes, to whom allusion has several

times been made in this chapter, were allies and kindred of the Delawares, whom they called "grandfathers," and occupied the lower part of this State and the Eastern Shore of Maryland, and were distinctively a fishing and trapping people, rather than hunters and warriors. These facts were asserted by one of their chiefs, White, to Lockiel and Heckewelder, the Moravian missionaries and historians at Bethlehem, Pennsylvania. The Nanticokes moved northward before the pressure of the slow, but inexorable advance of the white settlers, and after waging for a long period an intermittent war with the early colonists of Maryland they retreated to the head of the Chesapeake Bay, and thence, some of them, under the advice and protection of the Iroquois, moved to the Wyoming Valley, and others went farther up the Susquehanna to Chemmenk or Zeningis (Shenango), to which region they all immigrated at the beginning of the French and Indian War against the English. The tribe suffered even more from contact with the Europeans than did the Delawares and Susquehannas. "Nothing," said White, "had equaled the decline of his tribe since the white people had come into the country. They were destroyed in part by disorders which they brought with them, by the small-pox, the venereal disease, and by the free use of spirituous liquors, to which great numbers fell victims."³ The tribe had so dwindled away that soon after the Revolution (in which they had joined the British standard) they did not number more than fifty men.

The last remnant of this people in Delaware took their departure about 1748,⁴ from the neighborhood of Laurel, in Sussex County. In this locality—about a mile from Laurel, on the bank of a small stream—there was quite an extensive burying-ground, which was opened early in the present century by workmen engaged in digging earth for the purpose of repairing a mill-dam. They dug up several wagon-loads of bones and left a large quantity still remaining in the earth. The skeletons were in a fair degree of preservation, lay side by side and each bone was in its proper place. Several of them were of such size as to denote that the men whose remains they were, possessed remarkably high stature and great strength, one of them in particular being seven feet in length. At the time the grave-yard was opened by the spades of the laborers there were living in the neighborhood several very old men who remembered "the last of the Nanticokes," and said that a short time before they left that

¹ Pennsylvania Archives, Vol. 1, p. 64.

² It is believed that Tamanend lived for a considerable period on the west bank of the Delaware, in what is now Damascus township, Wayne County. The Connecticut settlers, who came there in 1757, called the fertile bottom land "St. Tammany Flat," and in later years his name was applied in its canonized form to a local lodge of the Masonic fraternity. The traditional fame of Tamanend's virtue, wisdom and greatness became so widespread among the whites that he was established as St. Tammany, the Patron Saint of America. His name was printed in some old-time calendars and his festival celebrated on the 1st day of May every year. On that day a numerous society of his votaries walked together in procession through the streets of Philadelphia with bucktail, adorning their hats, and proceeded to a "wigwam," in a rural locality where they smoked the calumet of peace and indulged in festivity and mirth. The original Tammany Society in the United States was a Philadelphia organization of high repute, which had no other purpose than pleasure and quaint but innocent diversion. The later societies, being devoted to partisan politics, have lost the charm which the old society possessed. It is interesting to note, however, that one of the most widely known political associations in the country bears the name of the great chief of the Lenni Lenape.

³ Heckewelder.

⁴ A number of Nanticokes from Maryland passed by Shamokin in ten canoes on their way to Wyoming.—*Diary of Rev. Christian Fyfe*, May 21, 1748. Others, says Heckewelder, frequently passed by land through Bethlehem, and thence through the Delaware Water Gap to Nescopeck or Susquehanna.

part of the country they all assembled at this spot, and bringing with them the bones of their dead who had been buried elsewhere in the region round about, interred them here with many peculiar ceremonies prior to their mournful final departure from the land of their fathers.¹ Heckewelder remarks that "the Nanticokes had the singular custom of removing the bones of their deceased friends from the burial-place to a place of deposit in the country they dwell in,"—a statement which is qualified by the authentic account we



A SUSQUEHANNA INDIAN WARRIOR.

have made use of in reference to the discovery near Laurel. In this instance the Indians did indeed remove the bones of their friends to a central locality and common burial-place, but they did not take them to the locality to which they were about to emigrate. That in some instances they did remove the bones of the dead from their old home in Delaware and Maryland to Northern Pennsylvania is incontestable, but in such cases the remains were doubtless those of sachems or

chiefs, distinguished men or very close kindred. Heckewelder is authority for the statement that in the years between 1750 and 1760 many of these Indians went down to the Delaware-Maryland Peninsula to carry the bones of their dead up to Wyoming and Nescopeck, and he says, "I well remember seeing them loaded with such bones, which, being fresh, caused a disagreeable stench as they passed through the streets of Bethlehem."²

The Susquehannas, who had their home upon the Potomac and the Susquehanna, and perhaps their greatest strength in what is now Cecil County, extending their population even into the territory of Northern Delaware, were a powerful tribe with whom the early adventurers, traders and settlers of the Delaware had much intercourse, and they have received frequent mention in this chapter, but their importance, historically, makes them worthy of a more specific consideration in these pages than has yet been accorded to them. They were—conclude Francis Parkman and other students who have given special and intelligent attention to the subject—a branch or outlying colony of that quite wonderful savage confederacy, the Five (afterwards the Six) Nations, or the Iroquois, and they seem to have acted as a guard or check upon the Delawares of the lower river and other southern tribes, often waging war against them and also committing occasional depredations on the frontier settlements of Maryland. They were the Minquas or Minquosy of the Dutch, the Mengwes of Campanius and the Swedes generally (the English corrupting the name into Mingoes), the Susquehannas or Susquehannocks of the Marylanders, and were also called the Andastes or Gandastogues (corrupted in Pennsylvania into Conestogas). The Susquehannas or Mingoes were a stalwart race of warriors, and those who saw them in their prime attest their physical superiority over other tribes. Captain John Smith describes them as

"such great and well-proportioned men as are seldom seen, for they seemed like giants to the English; yea, and to the neighbors, yet seemed of an honest and simple disposition, with much adoe restrained from adoring vs as Gods, . . . for their language it may well become their propitiators, sounding from them as a voyce in a vault. . . . Five of their chief werowances came aboard vs and crossed the Bay in their Barge. The picture of the greatest of them is signified in the Mappe [accompanying Smith's narrative], the calfe of whose leg was three-quarters of a yard about, and all the rest of his limbes so answerable to that proportion that he seemed the goodliest man we ever beheld."

"They are regarded," says George Alsop, in a little work³ on Maryland, published in 1666:

"As the most Noble and Heroick Nation of Indians that dwell upon the confines of America; also are so allowed and lookt upon by the rest of the Indians, by a submission and tributary acknowledgment, being a people cast into the mould of a most large and warlike deportment, the men being for the most part seven foot high in altitude and in magnitude and bulk suitable to so high a pitch; their voice large and hollow, as ascending out of a Cave, their gate and behavior straight, steady, and majestic, treading on the Earth with as much pride, contempt, and disdain to so sordid a Centre as can be imagined from a creature derived from the same mould and Earth."

² Heckewelder's "Manners and Customs of the Indian Nations."

³ "A Character of the Province of Maryland," by George Alsop; London, 1666.

¹ Huffington's *Delaware Register*, Vol. I., pp. 16, 17.

The Susquehannas were on good terms with the Dutch and Swedes, being notably assisted and championed by the latter, who, as heretofore stated, built for them a fort which, in 1662, saved them from defeat at the hands of their kindred, the Six Nations. The English settlers upon the Delaware were equally skillful with the Swedes in gaining and securing the friendship of this tribe, and carried on a large trade with them. The maintenance of relations at once agreeable and advantageous constantly exercised the diplomacy of officials, and communications of an advisory nature were incessantly passing between the Governors at New York and the minor officers upon the Delaware during the early period of the English *régime*, as they did later between Penn and his functionaries in Pennsylvania and the "three lower counties." Governor Andros, writing to the court officials at New Castle, on November 23, 1676, says: "If the Susquehannas should apply to you for any thing, you are to use them kindly, still as transient friends, butt for more than that to Refer them to come hither to the Governor, where they may expect all further just favors wth dispatch in what they may desire"¹—which affords a fair illustration of the prevailing disposition of the English towards the people they were destined to supplant.

Alternately at war with the whites and other tribes of their own race,—with the Maryland colonists, the Delawares, the Chesapeake and Potomac Indians, and the Iroquois of the north,—the Susquehannas at last gave way before the march of civilization and its attendant evils, rum and small-pox, combined with the onslaught of their savage enemies, until a mere fragment of their nation, called the Conestogas, was all that remained of a once powerful people, which, as late as 1647, had thirteen hundred warriors trained to the use of firearms by Swedish soldiers. These Conestogas were treacherously and brutally murdered by the "Paxton boys," in the Lancaster jail, where the Pennsylvania authorities had sent them for protection, and not many years later Logan, incomparably the greatest of the Mingoes, whose passionate but dignified and sententious eloquence, as displayed in his words of mourning for his slain kindred, is world-famous, fell a victim to the tomahawk of an Indian assassin while sitting by his lonely camp-fire in the wilds of Ohio. Thus passed the last of the Mingoes, the noblest of all that brave, if barbarous, people—his own fate typical of that which befell his nation and his race.

¹ Records of New Castle County Court.

CHAPTER IV.

DISCOVERY AND SETTLEMENT BY THE DUTCH,
1609-1636.

It is not positively known who discovered the territory now known as Delaware, but as early as 1526, the Spaniards not only explored the whole coast from the Mexican Gulf, northward to and beyond the thirty-fifth degree of latitude, but had even attempted to form a settlement about that parallel. There is evidence,² apparently incontrovertible, that the Chesapeake was known to the Spaniards, and that an expedition had been made by them for the occupation of its coasts at least twenty years before we have any knowledge of any attempt of the English to establish themselves in any part of the American continent. In view of these facts it would have been strange that



HENRY HUDSON.

the great basin, now known as Delaware Bay, should have remained unknown to the Spaniards until it was visited by Henry Hudson in 1609.

In the sixteenth century enterprises for discovery were numerous, and the daring and skill of the early voyagers who led the way to the colonization of the United States deserve the highest admiration. The character of the prevalent winds and currents was unknown, and the ships employed for discovery were generally of less than one hundred tons burden. Frobisher sailed in a vessel of but twenty-five tons; two of those of Columbus were without a deck, and so perilous were the voyages deemed that the sailors were accustomed, before embarking, to perform solemn acts of devotion, as if to prepare for eternity.

It is certain that the first practical discovery of the Delaware Bay and River and of the New York Bay and Hudson River was made in 1609, by Henry Hudson,³ an English navigator in the ser-

² *Ensayo Cronológico para la Historia de la Florida*. Por don Gabriel de Corderas y Cano. Madrid, 1723.

³ We know surprisingly little of Henry Hudson. He is said to have been the personal friend of Capt. John Smith, the founder of Virginia, and it is probable that he was of the family of that Henry Hudson who, in 1564, was one of the original incorporators of the English Muscovy

vice of the Dutch East India Company, whose title to immortality seems to be assured by the fact that one of the largest bays and one of the noblest rivers in the world equally bear his name, and are admitted to have been discovered by him. The discovery of Delaware Bay and River was made, according to the journal kept by Robert Jewett (or Juet), the first officer of Hudson's ship, on August 28, 1609 (new style), and on this discovery the Dutch founded their claim to the countries binding upon and adjacent to the North (Hudson) and the South (Delaware) Rivers.¹

The accounts of Hudson's third voyage and his discovery of the North and South Rivers are too accurate, circumstantial, and satisfactory to allow of any question in regard to them. Hudson's journal as well as that of Robert Juet are preserved in Purchas' Pilgrims, and Juet has given not only the courses and distances sailed on the coast, but the various depths of water obtained by soundings off the bars and within the capes of the two bays. Juet's log-book of August 28, 1609, has indeed been tested by actual soundings and sailing dis-

tances, and is found to be so accurate to this day that his route can be minutely followed.

At noon Hudson having passed the lower cape, the shores were descried stretching away north-west,² while land was also seen towards the north-east, which he at first took to be an island, but it proved to be the main land and the second point³ of the bay.⁴

The remainder of the day was spent in sounding the waters, which were in some parts filled with shoals, as at the present time, so that the "Half Moon," though of light draught, struck upon the hidden sands. "Hee that will thoroughly discover this great Bay," says Juet, "muste have a small Pinnasse that must draw but four or five foote water, to sound before him."

At sunset the master anchored his little vessel "in eight fathomes water," and found a tide running from the northwest; "and it riseth one fathome, and floweth South-South-east."⁵ "From the strenth of the current that set out and caused the accumulation of sands," he "suspected that a large river discharged into the bay."⁶

In the course of the night, the weather, which had been intensely warm all day, suddenly changed. A passing storm dispelled the heat, while the breeze blowing from the land refreshed the weary men with the moist perfumes of sweet shrubs and summer flowers. At early dawn the explorations were renewed and Hudson stood towards the "norther land," where he again "strooke ground" with his rudder. Convinced that the road to China did not lie that way, he hastened to emerge from the Delaware in search of new channels through which he might pass quickly to India, the goal of his wishes. Imbued with this idea, he continued his voyage along the coast of New Jersey, and cast anchor, on the 3d of September, within the shelter of what is now Sandy Hook, New York. His subsequent discovery of the river which bears his name, and his ascent to a point in the vicinity of the present city of Albany, are facts too well known to be given repetition here.⁷

The English early gave the name of Delaware Bay and River to the South River of the Dutch, upon the pretext that it was discovered by Lord de la Warr in his voyage to Virginia in 1610. Mr. Brodhead and other writers, however, have

Company. This man's son, Christopher, supposed to have been the father of the great navigator, was as early as 1560 and up to 1601 the factor and agent on the spot of the London Company trading to Russia, and it seems likely that the younger Hudson, from his familiarity with Arctic navigation, and his daring pertinacity in attempting to invade the ice-bound northern wastes, may have served his apprenticeship as a navigator in trading, on behalf of the Muscovy Company, from Bristol to Russia, as was then often done through the North Channel, and round the Hebrides, Orkneys, Shetlands, and North Cape to the White Sea and Archangel. At any rate when Hudson makes his first picturesque appearance before us, in the summer of 1607, in the Church of St. Ethelburge, Bishopsgate Street, London, where he and his crew are present to partake of the Holy Sacrament together, it is preparatory to a voyage in the service of the newly-organized "London Company," in Juet's own words, "for to discover a passage by the North Pole to Japan and China." The navigator was at that time a middle-aged man, experienced and trusted. Hudson reached Spitzbergen, and there the ice forced him back. He repeated next year the attempt to reach Asia by crossing directly over the Pole, and again he failed after having reached Nova Zembla. The London Company now became disheartened, and Hudson at once transferred his services to the Dutch, who were then also eagerly seeking a northern route to Asia, and preparing under the ardent urgings of Caselinx (of whom more will be said presently) to establish a West India Company. The Amsterdam directors of the Dutch East India Company put him in command of a yacht or vlie boat, the "Half-Moon" (the "yagt Halve-Maan"), of forty "lasts" or eighty tons burden, manned by a motley crew of sixteen or eighteen English and Dutch sailors, and bade him continue to search for a route to the Eastern seas such as the Spaniards and Portuguese could not obstruct. It was on his third voyage when, beaten back by the ice from the Greenland seas, he sailed as far south as the capes of the Chesapeake, and discovered Delaware Bay and Hudson River. In his fourth voyage he returned again to the service of England, discovered and entered Hudson's Bay, wintered there, and in the spring, having angered his crew by harshness and by persisting in going westward, was cast adrift by them in a small boat and left, with his son, to perish in the ice on the desolate border of the bay which bears his name. He was never heard of afterward. For further particulars of this stern, bold, and intelligent navigator, who was a man full of spirit, energy, and well-defined purpose, the reader may consult Purchas, Hakluyt, and the monographs of Hon. H. C. Murphy, Dr. Asher, Gen. John M. Read, Jr., and Rev. B. F. de Costa.

¹ In an official report drawn up by a Dutch Chamber, from documents and papers placed in their hands, December 15, 1644, it is said that "New Netherland, situate in America, between English Virginia and New England, extending from the South (Delaware) River, lying in latitude 38½°, to Cape Malabar, in latitude 41½°, was first frequented by the inhabitants of this country in the year 1598, and especially by those of the Greenland Company, but without making any fixed settlements, only as a shelter in the winter; for which purpose they erected there two little forts on the South and North Rivers, against the incursions of the Indians." O'Callaghan's *History of New Netherlands*, Vol. I. p. 418.

² Juet's Journal, Purchas III. p. 590.

³ Cape May.

⁴ De Laet's *Nieuwe Werelt* fol. Amsterdam, 1625, Book III. Chap. 7, Hazard's *Annals*, p. 3, N. Y. Hist. Soc. Coll. Vol. I. N. 8. p. 200.

⁵ Juet's Journal, Purchas III. 590. Vander Donck speaking of the South River, or Delaware, says: "This is the place where the ship *Half-Moon* first took possession." See also O'Callaghan's *Hist. of New Netherlands*, Vol. I. p. 34.

⁶ De Laet's *Nieuwe Werelt*.

⁷ See Historical Inquiry Concerning Henry Hudson by John Meredith Read, Jr., delivered before the Historical Society of Delaware. The little "Half-Moon," the first craft other than the frail Indian canoes, that is known to have entered the waters of the Delaware Bay, was wrecked about six years later (in 1615) at the island of Mauritius. Brodhead's *N. Y. Hist. Coll.* Vol. I. p. 43.

plainly shown that Lord La Warr never saw De la-ware Bay, and that the name *Cape La Warr* was given to Cape May by the roistering Capt. Samuel Argalls, of Lord Somers' squadron, who, being separated from his commander in a fog off the Bermudas, in that voyage the narration of which is supposed to have given Shakspeare his theme for the *Tempest*, was carried by a cyclone as far north as Cape Cod, and descending the coast again to Virginia, sighted the cape in question and gave his lordship's name to it.

The Dutch eventually rested their claim to the New Netherlands upon the magnificent discoveries of Hudson, as opposed to the English claim through the general discovery by the Cabots, but they did not immediately profit by them to any great extent, nor did they make prompt endeavors to by that best of all methods, organized colonization. Indeed, when it is taken into consideration that Holland was then the first maritime power and the greatest trading country of the world; that Amsterdam was to the north what Venice had been to the Mediterranean and the less known seas of two continents; that her traffic with Russia frequently necessitated the sending of as many as seventy or eighty ships a year to Archangel, and further, when it is brought to mind that her people had for years been urged by the energetic Usselinx (of whom much more anon), to systematically seek the riches of the New World, it is difficult to form other conclusion than that the Dutch were somewhat dilatory in taking advantage of their enlarged opportunities. There were reasons, which will presently be explained, for the avoidance of colonization schemes, but the tardiness, the comparatively inconsequential character and the incompletely organized efforts of this nation of merchants, towards establishing trade with the rich, new found regions of the world are facts not easily accounted for. What the Dutch at first undertook and actually accomplished, however, was inspired by monetary rather than political ambition.

The reports carried to Holland by Hudson were

¹ Lord de la Warr's real name was Sir Thomas West, and he was Lord Delaware only by courtesy, being the third son of Lord de la Warr and therefore ineligible to the title. He was the first Governor of Virginia and was appointed to that position for life, but was soon compelled to return to England and his government was administered by deputies. He married in 1602 the daughter of Sir Thomas Shirley from whom the name of the well-known old Virginia estate comes. Per one descended from the West stock are still living in Virginia and West Point, N. Y., perpetuates the name of the old Dominion Governor. The family still exists in England and numbers among its members an Earl de la Warr, whose brother, Hon. L. S. Sackville West, is the present British Minister to Washington. Lord de la Warr in whose honor the bay, river and state were named is asserted to have died in 1618 while returning from Virginia to England, and some writers have stated that he was poisoned, which however seems improbable that sixty persons perished on the ship, some malignant malady prevailing. While the majority of his orians declare that he died at sea, it is circumstantially and positively asserted in Walpole's *Royal and Noble Authors* as enlarged by Thomas Park and quoted by Bancroft (Vol. I., that he died at Wherwell, Hants, in England, June 7, 1618. Bancroft says of this personage in honor of whom Delaware received its name) "his affection for Virginia ceased only with his life," and all students accord him a high character as a man and ruler.

far more favorable in regard to the North than the Zuydt or South River, and to the former were directed the first commercial expeditions of the Dutch. The "Half Moon" in 1610 was sent back to the North River with a trading cargo, and took to Holland a heavy cargo of cheaply bought furs. In 1611 (the same year that Hudson was abandoned to a horrible death) Hendrick Christiaensen, of Cleves near Niemguen, Holland, a West India trader, and Adrien Block, of Amsterdam, chartered a ship in company with the Schipper Rysar, and made a voyage to the Manhattans and "the great river of the mountains," returning with a quantity of furs and bringing also two sons of Indian chiefs, whom they named "Valentine," and "Orson." These young savages, and the rare but cheap furs from their native land, appear to have roused the phlegmatic Hollanders from their lethargy, and public interest in the newly discovered territories began to show some liveliness. A memorial on the subject was presented to the Provincial States of Holland and West Friesland by several merchants and inhabitants of the United Provinces, and, says Brodhead, "it was judged of sufficient interest to be formally communicated to the cities of Amsterdam, Rotterdam, Hoorn and Euckhuysen."² In the following year Christiaensen and Block received material aid from several leading merchants, and fitted out two vessels, the "Fortune" and "Tiger," upon which they sailed again to the Hudson and traded along its banks with the Indians. In 1613 other merchants, allured by the handsome profits of these ventures, caught the New World fever, and the "Little Fox," under command of John De Witt, and "Nightingale," under Thys Volkertsen, were sent out from Amsterdam, while the owners of the ship "Fortune," of Hoorn, placed their vessel under charge of Captain Cornelis Jacobsen Mey (or May). This little fleet sailed to the Hudson River, where Block's vessel, the "Tiger," was destroyed by fire just as he was about to set sail for Holland in the fall. Undaunted by this misfortune, the mariner built a hut on the shore of a small island (named by him Block Island), and spent the winter of 1613-14 in constructing a boat to supply the place of the "Tiger." This was a yacht of thirty-eight feet keel, forty-four and one-half feet long, and eleven feet wide, with a carrying capacity of sixteen tons. This little craft, the first built by Europeans in that part of America which became the United States, the builder named the "Onrust" or "Restless," and the name passed into history, and became famous as that of the vessel which bore the first actual explorers of the Delaware River. By the time that the "Onrust" was finished and nearly ready for service, in the spring of 1614, the companion vessels of the preceding year,

² Brodhead, Vol. I. p. 46. N. Y. Hist. Coll. 2d Series, Vol. II. p. 365.

heretofore enumerated, were on their way over the ocean, to begin their second season's work. This time, however, they came under new auspices, for in consequence of the presentation of petitions by "many merchants interested in the maritime discovery" to the "High and Mighty States General of Holland," an edict or ordinance had been issued¹ declaring that it "was honorable, useful and profitable" that the people of the Netherlands should be encouraged to adventure themselves in discovering unknown countries, and for the purpose of making the inducement "free and common to every one of the inhabitants," it was granted and conceded that "whoever shall from this time forward discover any new passages, havens, lands or places, shall have the exclusive right of navigating to the same for four voyages." It was provided that the discoverer should, within fourteen days from his return, deliver to the State "a pertinent report of his discoveries," and that in case any discoveries were made simultaneously by different parties, they were to enjoy in common the rights acquired.

In the spring, when voyaging began, Christiaensen pushed up the Hudson and erected a trading post and block-house on Castle Island, just below the site of Albany; Block, with the "Onrust," explored Long Island Sound, and Mey sailed directly southward, upon the "Fortune," charted the coast from Sandy Hook to the Delaware and, entering that bay, gave his surname (now spelled May) to the northern cape, his Christian name, Cornelis, to the southern cape opposite, and to the southern cape, facing the ocean, the name of Hindlopen or Henlopen, probably after Thymen Jacobsen Hinlopen, of Amsterdam, or a town in Friesland, though the latter, applied as it was to a false cape, was subsequently transferred to the Delaware cape (near Lewes), which now bears it. There is no evidence that May attempted to change the name of Delaware Bay and River from that given by the Dutch, Zueydt River,² or that he landed at any point. In the fall the vessels of the trading squadron all returned to Holland, except the "Onrust," which was left at Manhattan under the command of Captain Cornelis Hendricksen, doubtless for the express purpose of making a more minute examination of the country. The returned navigators and their associate merchants formed a company, drew up a report and chart of their several discoveries, and proceeded to the Hague to claim a concession under the edict of March 27, 1614. In the presence of the twelve mighty lords

of the States General, by John Van Olden Barneveldt, the "advocate" of Holland, they unfolded what they called a "figurative map" of the West India (or American) coast, told their tale of adventures, discoveries, loss and gain, and asked for the monopoly which the edict promised. It was at once granted, and a special charter to them of exclusive privileges to trade for four voyages in the region they had explored, which now, for the first time, obtained the name of the "NEW NETHERLANDS," was drawn up and signed October 11, 1614. The territory covered by this charter was all of the region from New France (as the French possessions in Canada were called) and Virginia. The company was granted the privilege, exclusively, to navigate to the newly-discovered lands for five voyages, within the period of three years, commencing the 1st of January, 1615. The privilege expired on the 1st of January, 1618, and there is no evidence now extant that any of the vessels ever traded on the Delaware. This charter had a broader historical importance and greater influence in the chain of cause and effect than the mere granting of a valuable franchise to a half dozen or more individuals, for it, in effect, asserted that the Dutch territory of the New Netherlands embraced all the territory and coast line of North America from the fortieth to the forty-fifth parallel.

Hendricksen in the little yacht "Onrust" (scarcely larger than the smallest oyster shallop of the present day), was meanwhile engaged in making the first actual exploration of the Delaware Bay and River, a work which seems to have occupied the greater part of the year 1615, and some portion of the succeeding one. Authorities radically differ as to the extent of the Captain's explorations, some firmly asserting that he went as far north as the Schuylkill, and that he was, therefore, the first white man to gaze upon the site of the city of Philadelphia, and others stoutly denying that he went beyond the head of the Bay or the mouth of the Delaware River proper. Without entering into an elaborate and unsatisfying discussion of the merits of these clashing assertions, it may be stated that the former possesses the greater portion of probabilities, and has been generally conceded by the not over captious class of critics and historians. The chief ground for belief that he did sail up the river is to be found in his report, in which he speaks of having "discovered and explored certain lands, a bay and three rivers, situated between 38 and 40 degrees," corresponding respectively to the south boundary of Maryland, where it touches the Atlantic and the latitude of Philadelphia. It would seem from this statement that no other than the Delaware Bay and River and the Christiana and Schuylkill could be meant. But little has been preserved of the information which Hendricksen carried to Holland concerning his voyage. What is

¹ It was dated March 27, 1614.

² Also variously called by the Indian names of Pontaxat, Makiriskaton, Makarish-Kiskon, and Lenape-Wihittuck, while Heylin, in his *Cosmography*, bravely gives it the further name of Aramapha. When it became better known, the Dutch sometimes called it the Nassau, Prince Hendrick's or Prince Charles' River; and the Swedes, New Swedeland stream. The earliest settlers sometimes styled it New Port May and Godyn's Bay.

saved from oblivion may be regarded as the first record of man upon the Delaware, and it is enough to show that he landed at several places, took soundings, drew charts and discovered the contour of the bay and the capabilities of the river. He tells how he traded with the Indians for skins of various kinds, sables, otter, mink, bear robes, etc. He speaks of the vegetation of the shores and mentions the kinds of trees that abound—the oaks, hickories and pines, richly draped and festooned here and there with grape vines and flowering creepers.

The forests he says were alive with game, bucks, does, turkeys and partridges. "He hath found," says his report, "the climate of said country very temperate," and he believed it to be similar in temperature to Holland.

At Christiana Creek where he landed, and possibly walked over the very ground that was destined to be covered with the streets and buildings of the City of Wilmington, Hendricksen met a band of Minquas (or Mingse) Indians, and redeemed from them three white men, who in the spring of 1616 had left the Dutch Fort near the site of Albany, wandered up the Mohawk Valley, crossed the dividing ridge to the head waters of the Delaware, and descended that stream until they had encountered the Minquas and been made prisoners by them.¹

In the summer of 1616, Captain Hendricksen was again in Holland, for on August 19, he laid his report of discoveries and claims for extensive trading privileges before the States General.² For some reason which does not clearly appear this was not granted, and the brave and energetic explorer reaped no advantage from his arduous and dangerous undertaking, nor did he further figure in the cisatlantic affairs of his nation.³

If of little use to himself, Hendricksen's discoveries were nevertheless of vast importance to Holland, and of far-reaching influence and effect in the planting of the American Colonies. His report of his voyages along the coast and exploration of the great Zuydt River, did more to bring about the organization of the Dutch West India Company than any one power, if possibly we except the long continued patient, powerful and adroit manipulations of public opinion by William Usselinx. This man who had long before been a character in the action of the drama of human progress now became a most prominent one. He was a native of Antwerp, in Brabant, a merchant, who had traveled several years in Spain, Portugal and

the Azores Islands, and had become thoroughly familiar with the profitable commerce carried on between those countries and West India, as all of the then known America was called.⁴

As early as 1591, on his return to Holland, he proposed to certain merchants a plan to establish a company for carrying on trade with America, and in the following year he presented that plan in writing to the States General, to several cities and numerous individuals. He secured an ardent adherent in the person of Prince Maurice, and at his suggestion traveled throughout Holland to urge his scheme upon the inhabitants, but he could not arouse them, for as he expressed it "The people could not be awakened from their sleep." Now that Hendricksen's report had awakened fresh interest in America, Usselinx in 1616, resumed the agitation that he had commenced at the beginning of the century, and in that year he presented a petition to the States General of Holland and West Friesland, in which he offered to prove the following points:—

"1. That through such a West Indian Company the United Netherlands could be strengthened and be better secured against the King of Spain than through all their revenues.

"2. That the country could expect more treasures and a more extensive trade from India than Spain, in case we continue in peace with the King of Spain.

"3. That in case we should become involved in war with the King of Spain, we could, through the means which we might acquire, not only retain but take places now in his possession, or render them altogether fruitless to him.

"4. That money could be collected to carry on this work properly without weakening or reducing the regular trade in the least, even if the sum should amount to ten millions.

"5. That this work should not only prove a benefit to merchants, mechanics, and seafaring people, but that each and every inhabitant should derive an advantage from it."⁵

It was not until nearly a year had passed that this document was permitted to be read, and even then its time of fruition had not come, and even when it did, the man who had fostered and nourished the plant received no reward for his indefatigable services which were of vast value to his country. For years he had devoted nearly all of his energies to his favorite scheme, and he became so impoverished and embarrassed in his private affairs, that in 1618 it became necessary that he should be protected from arrest by his creditors through the granting of *sûreté du corps*. But further than this his frequent pleadings for remuneration received no recognition, and the very people who received benefit from his acts harshly criticized them. This was too much for his fiery spirit to bear, and he gave expression to his indignation in unmistakable language. "Crack-brained and overwise pretenders" he wrote:—

"Who think that which they cannot comprehend in their crazy heads is not to be found in nature, even if they don't know what has passed in this affair and what my intentions may have been, are yet so impertinent not only to slander the good work and my propositions, but even dare to accuse persons of high rank and intelligence of inconsiderate-

¹ By those who deny that Hendricksen ascended the Delaware to the Schuylkill it is claimed that he obtained his knowledge of the upper portion of the river from those men who passed down its shore.

² Penn. Archives, 2d Series, Vol. I.

³ Hendricksen was doubtless a Hollander, although his name was Swedish. He is said in Dutch documents to have been from Monnikendam, eight miles from Amsterdam on the Zuyder Zee.

⁴ Joseph J. Mickley's "Some Account of William Usselinx and Peter Minuit," published by the Historical Society of Delaware.

⁵ Mickley.

ness and imprudence, because they give me a hearing and approve of my propositions."

If we follow for a brief period the history of this remarkable man, before taking up the organization and affairs of the company which he did more than any other one man to create, we find in his misfortunes the effect of an ingratitude which it is difficult to account for, except upon the ground of the baseness and selfishness of the common herd of man, who often when enjoying the results of wise action forgets the instrument by which they were accomplished. Prince Maurice most earnestly urged a settlement of poor Usselinx's claim, and in a letter to the States General of the United Netherlands under date of August 30, 1622, said:—

"Usselinx has during a number of years employed much of his time in laboring faithfully to promote and establish the West India Company, in which he has rendered great and useful services, and still continues in it with the same zeal, for which he justly deserves to be properly rewarded. Therefore it is our desire that your High Mightiness consider well his former and future services, and satisfy his just claim. Do not lose sight of him, do not let him go from here, for that may prove dangerous."

In spite of this strong advocacy of his rights by an influential personage, the States General on July 4, 1623, positively refused to settle his claim, and referred him to the managers of the West India Company, with a letter in which they warmly attested his zeal and affection for the continuance of the Company, spoke of his willingness to remain and his willingness "to give and explain the knowledge he had acquired by long experience," and begged that the managers "would examine and consider everything favorably, and according as they found him worthy of his services, make a suitable disposition." Usselinx did not deliver this letter, because in the first place he did not regard the managers or company as his debtors, but "that their High Mightinesses the Lords States Generals owed for his services," and secondly, because he had reason to fear the jealousy and unfriendliness of several of the managers. "For these reasons," he says, "I finally resolved not to trouble myself any more about the company, and, after giving due notice, left them and the country to try my luck elsewhere, out of the country." And thus poor, disappointed, stung with ingratitude and embittered in spirit, he transferred his valuable knowledge and energies to the service of Sweden and of Gustavus Adolphus, where as will presently be shown they were not only used to good advantages, but better appreciated than in his native country.

The Dutch West India Company was finally incorporated on the 3d of June, 1621, for the time was ripe for the consummation of the great scheme which, indeed, now looked to a colonization of the new world possessions of Holland, as well as the establishment of trade. To understand the long delay of this measure, it is necessary to recall one or two circumstances in the condition and attitude of Holland early in the seventeenth century. The

nation had been in war with Spain for several years, but, in 1609, a truce, to last twelve years, was negotiated in lieu of a permanent treaty of peace. Philip II. had consented to the independence of the Netherlands, but would not consent to give them free trade in the East Indies. The Netherlands would not accept a final and permanent treaty which did not guarantee their commercial freedom, hence the truce as a compromise. The negotiation was effected by Grotius and Barneveldt and was bitterly opposed by the distinctively "war party" of the day, headed by Usselinx, for the reason that it destroyed the project for a West India Company. This party was eager to resort to every means to injure and humble their haughty and arrogant enemy, and, indeed, Usselinx appears to have had a bitter, personal hatred of Spain and the other Catholic countries in which he had traveled. The party, too, was infused as a whole with the heat of religious rancor for the Calvinists and Puritans (the latter exiles in Leyden) were in bitter antagonism to the Arminians, who controlled the State.¹ The Reformers, finally in 1619, carried everything before them in the Synod of Dort, the Arminians were put down and thus one obstacle to the success of colonization was removed. The charter to the Amsterdam merchants expired in 1618; the twelve year truce with Spain ended in the spring of 1621, and the United Provinces must soon be renewed while the necessity for a more vigorous policy on the part of Holland, in support of its claims to the New Netherlands was given an additional force of demonstration by the fact that the English government was preparing to remonstrate against the expansion of the Dutch territory, both on the New England side and on the Delaware, the Virginians having, in fact, sent one abortive expedition against the traders on the latter stream. Thus various causes conspired to bring about the result that Usselinx and his party had, for more than twenty years, labored to bring about.

It was upon the 3d of June, 1621, that the States General, under their great seal, granted the formal patent incorporating the West India Company, for the encouragement of that foreign settlement and commerce that its advocates asserted the welfare of the Netherlands largely rested. The company was invested with tremendous powers. It was authorized, as Brodhead says, to make in the name of the States General, "contracts and alliances with the princes and natives of the countries comprehended within the limits of its

¹ It is a fact that the Puritans, in 1620, applied to the Netherlands, through the Amsterdam merchants, for permission to settle upon the North River, but that because of the opposing religious preferences of the State General, that body peremptorily rejected their proposition. It is interesting to speculate as to what, but for this refusal, might have been the course of American history.

charter, build forts, appoint and discharge governors, soldiers and public officers, administer justice and promote trade. It was bound to advance the peopling of these fruitful and unsettled parts and do all that the service of those countries and the profit and increase of trade shall require." It had a power in America practically equal to that of Holland itself, for all of the functions of that government, appertaining to its foreign possessions, were unreservedly delegated to it. The States General, reserving the power to declare war, had a sort of general supervision with the privilege of confirming the appointment of superior officers, but that was the limit of its powers. The charter set forth that except in the name of "the United Company of these United Netherlands," for the space of twenty-four years, no native inhabitants of the Netherlands should be permitted to sail to or from, or to traffic on the coast of Africa, from the tropic of Cancer to the Cape of Good Hope, nor in the countries of America or the West Indies, between the south-end of Terra Nova, by the straits of Magellan, La Maire, or any other straits and passage situate thereabout, to the straits of Arrian, neither upon the North or the South Seas, nor any islands situated on the one side or the other, or between both, nor on the Western or Southern Countries, reaching, lying and between both the meridians from the Cape of Good Hope in the west-end of New Guinea in the west, "under penalty of forfeiture of goods and ships."

The government of the company was vested in five boards of managers—one at Amsterdam managing four-ninths of the whole; one at Middleburg, in Zealand, managing two-ninths; one at Dordrecht, on the Maese, managing one-ninth; one in North Holland, one-ninth; and one in Friesland and Groningen, one-ninth. The general executive power was placed in the hands of a board of nineteen delegates, (usually denominated the College of Nineteen) of whom eight were to come from the Amsterdam Chamber, and the rest from the other Chambers in proportion to their shares, except that the States General was to be represented by one delegate. The States were pledged to defend the company against all comers, to give for its assistance sixteen ships of war, of three hundred tons each, and four yachts of eighty tons each, and were to advance a million guilders in money. The company was to provide at its own expense a number of ships equal to those supplied by the government and to arm and equip them all. The fleet thus constituted it was provided should be placed under the command of an Admiral selected by the States General. The books of the company were only to be kept open for stock subscriptions during the year 1621, and while any inhabitant of the Netherlands might become a stockholder within that period, it was announced that none could do so later. It

happened, however, that the books were not closed until June, 1623, when the organization was completed.

While the organization was being completed, several ships were sent on trading ventures of more or less private character to the newly discovered countries, between latitudes 40° and 45° "together with a great river lying between 38 and 40 degrees of latitude," which of course was none other than the Delaware. There is no evidence that they actually traded on this river, but it is to be inferred from the action of the English in Virginia that they did. Indeed it is probable that they visited all of the waters of the coast from Buzzard's Bay (within twenty miles of Plymouth) down to the Delaware.

A plan of colonization was also matured. There were then in the Netherlands a number of Walloons (Belgian Protestants of supposed Waelsche or Celtic origin) who were refugees from Spanish persecution, who had sought to emigrate to Virginia but could not secure satisfactory terms. The West India Company quick to see that these people would be good immigrants with whom to begin the permanent settlement of their possessions in America, at once made provision to carry them over in one of their ships soon to sail. This was the "New Netherlands" in command of Captain Cornelis Jacobsen Mey, who first after Hudson had sailed into the Delaware Bay and who was going out now as the first resident director or governor of the colonies. The vessel sailed from the Texel in March 1623, (Adriaen Joris of Thienpoint being second in command), without about thirty Walloon¹ families on board and took the southern course to America, (the one then commonly followed) by way of the British Channel, the Canaries, across the Atlantic to Guiana and the Carribees, thence northward between the Bermudas and Bahamas to the Virginia coast, and then skirting the shore to the North River. Reaching his destination Mey distributed his handful of colonists as far as he could. The majority were taken up to the site of Albany where the Dutch had built Fort Orange (Aurania) in 1614, a few to the Connecticut River and four couples who had married on the way out, with several sailors and other men were sent to the Delaware, where they were either accompanied or soon visited by Mey. The site selected for this South River settlement was Verhulsten Island near the present city of Trenton, N. J. While the Walloons were located at this place, it appears that the sailors and soldiers were stationed at a little fort which was hurriedly built for their protection at a spot which the natives called "Te-kaacho" near Gloucester Point, immediately opposite the lower part of the city of Philadelphia.

¹ The name comes, it is said, either from Wall, (water or sea) or more probably, from the old German word Wable, signifying a foreigner.

This was Fort Nassau, the first building known to have been erected by civilized men on the shores of the Delaware. Its exact site cannot now be pointed out, but it was supposed to be upon the north branch of Timber Creek or as the Dutch called it "Timmer Kill,"¹ then called "Sapackon." It was built close to the point of rocks, its southern rampart being within a few feet of the creek.² The year in which the fort was built is disputed, but it is probable that its construction was undertaken about 1623, which was doubtless also the time of the settlement near the site of Trenton. The men and women of the Walloons at this isolated station grew homesick, and within a year or so returned to Manhattan. The fort too was abandoned after one or two years of occupation though it was irregularly occupied by a few soldiers for short periods, down to 1642 when it was continuously garrisoned until 1650 or 1651 when the Dutch themselves destroyed it, because it was too high up the river and too far from the chief theatre of their activities to serve any valuable purpose. It appears to have been occasionally used as a lodging place by the Indians, probably at such times as they expected trading vessels to arrive which was at least once a year, and DeVries found it thus tenanted by the savages when he visited it in 1633.

In 1625, the colony at Manhattan numbered over two hundred souls, and Cornelis Jacobsen May, who administered its simple government, during the year 1624, was succeeded by William Verhulst, as the second director of New Netherlands. He seems to have visited the South River, and his name was for a long time commemorated by "Verhulsten Island," near the bend of the Delaware at Trenton. Upon this island, which is described as being "near the falls of that river, and near the west-side thereof," the West India Company established a trading house, "where there were three or four families of Walloons." The company also had a brick house at Horekill. The Walloon families did not remain very long in their lonely frontier home. By order of the West India Company, "all those who were at the South River," at Verhulsten Island, and Fort Nassau, in 1628, were removed to Manhattan. A small vessel only remained there, to keep up the fur trade. That trade, however, was less profitable than traffic on the North River.

¹ On the map in Campanius' work it is designated as being between the two branches of Timber Creek.

² Various discoveries and relics have been made at different times in digging at the site of the fort. In 1745 a Spanish privateer threatened to land on the Delaware, and fears being entertained that they would attack Wilmington, attempts were made to place the old fort in repair. In digging the ground for that purpose, they found several pieces of money, with Queen Christina's stamp upon it. On the 31st of March, 1755, on taking up by chance some pieces of the walls, there were found many cannon balls, grenades, and other similar things, which had been kept carefully concealed since the surrender of the fort by Rising. Five pieces of cannon (according to Acrelius) were kept mounted there previously, as at the treaty of Aix la Chapelle, in 1646, an English salute was fired from them, in honor of the Governor, who was going to meet the Legislature at New Castle.

While ships regularly visited the South River for purposes of trade, half a dozen years elapsed before any further attempt was made to place a colony or build a fort upon its shores, and when this was finally brought about it was largely through private enterprise and resulted in the founding of the first settlement within the present state of Delaware. In the meantime changes had taken place in the management of New Netherland affairs and in the policy of the West India Company. Peter Minuit³ came out and succeeded Verhulst as Director of the New England colonies, in 1624, holding the position until 1632, when he was recalled and Van Twiller became governor in his stead. Minuit (as will become apparent in the succeeding chapter) was a man of great sagacity and energy, but he was compelled, so far as what might be called the home affairs of the colonies, to follow a very conservative policy, for the West India Company was sadly neglecting the colonization and commercial schemes it was supposed to have been organized to foster and devoting its strength to far more ambitious and adventurous ones. While the company had been nominally chartered to trade with and colonize the New Netherlands, the real object of its chiefs, had been a colossal system of legalized piracy against the commerce of Spain and Portugal, in Africa and America. And already had it won brilliant successes and acquired vast profits in following this mammon of unrighteousness. It had preyed upon Spanish fleets from one side of the Atlantic to the other. It had in two years taken one hundred and four prizes. It frequently sent out squadrons of seventy armed vessels to sweep the seas. It had captured Bahia and Pernambuco and aspired to the conquest of Brazil. It had declared dividends of fifty per cent. These spectacular and enormously profitable performances had dazzled the wealth-worshipping Dutch mind and completely cast into the shade humble profits of plodding, but legitimate trade and the company did not care to be bothered with the discharge of such common-place duties as directing the settlement of the Dutch possessions and organizing commerce. It was this abandonment or dwarfing in importance of the original purposes of the company which had been one of the chief causes of the withdrawal of William Usselinx, its promoter, in 1624. But there were, nevertheless, among the members of the Amsterdam chamber some shrewd minds albeit of conservative character, who did not, amid the excitement of conquest and quick making of vast fortunes, forget that there was an abiding value in lands. Of this class—all rich, all well-informed, all interested in the support and development of the colonies, all, also, not unwilling to make investments which would further enrich themselves—were John De Laet,

³ The name is variously spelled Minvet, Minnewit and Minnewe.

the historian, Killiaen Van Rensselaer, Michael Pauw Peter Evertsen Hueft, Jonas Witsen, Hendrick Hamel, Samuel Godyn and Samuel Blommaert. These Amsterdam men of substance, after consulting with Isaac De Rasieres, Minuit's secretary, who, for some reason, had been sent back to Holland, secured, from the College of Nineteen, a "Charter of Exemption and Privileges" to all such as shall plant colonies in New Netherlands, which the States General confirmed on June 7, 1629. This created a complete feudal system and planted it upon the soil of the western world, destined not, indeed, long to nourish it, but to become the globe's broadest field of democracy. A landed aristocracy was brought into existence and the New Netherlands were handed over pretty much to its control. The charter gave the privilege to members of the company to send to America by the company's ships, on certain conditions, three or four persons to select lands, which on purchase from the Indians and on prescribed conditions of planting colonies, should in tracts of fixed size, become the properties of feudal lords, or patroons, who were also to have the control and government of their inhabitants. The land selected for a colony might extend sixteen Dutch miles in length if confined to one side of a navigable river or eight miles on each side, if both banks were occupied, and extend as far into the country as the situation of the occupiers should make desirable (though this latter clause seems afterwards to have been revoked and the extent inland to have been modified to one half of a Dutch mile, or two English miles). These great grants were to be bestowed upon any members of the company (to none others were the privileges open) who should within four years plant a colony of fifty adults upon the tracts in question anywhere in New Netherlands except upon the Island of Manhattan. More immigrants entitled the patroon to proportionately more land. The patroons acquired their estates in fee simple, with power of disposing by will; they were magistrates within their own bounds—"had chief command and dower jurisdiction"—and each patroon had the exclusive privilege of fishing, fowling and grinding corn within his own domain. They had also the power of founding cities and appointing officers and could trade anywhere along the coast or to Holland on payment of five per cent. duty to the company, at its reservation of Manhattan. The company prohibited engagement in manufacturing and retained exclusive monopoly of the fur trade. In all other matters the patroons were to be sovereign in their lordship.

Among the very first to act under the Charter of Exemptions and Privileges were Samuel Blommaert and Samuel Godwyn. In 1629 they sent two persons to the Delaware to examine and buy

land, and these agents purchased from the Indians, on the south (or west) side of the bay, a tract, thirty-two miles long and two miles deep, extending from *old* Cape Henlopen (about where the south boundary of Delaware touches the ocean), northward, to the mouth of a river, the patent being registered and confirmed June 1, 1630.¹ Other would-be patrons soon followed the example of Blommaert and Godwyn, and made similar purchases elsewhere in New Netherlands, Van Rensselaer becoming the proprietor of nearly all of the present Counties of Albany and Rensselaer in New York, while their comrades secured almost equally extensive, and in some cases even more valuable estates. But these lords of the soil began to quarrel among themselves, and to avoid exposure and scandal (for the land "pool" had much to fear because of the peculiar nature of its transactions), they divided the lands equally among the disaffected ones of their number, the historian, De Laet, Blommaert and Godwyn, each receiving a fifth in-

¹ This tract of land was the first ever purchased by the whites within the limits of the State of Delaware. This first purchase from the Indians was recognized by the Directors and Council of New Netherlands acting for Samuel Godyn and Samuel Blommaert, in a so-called deed dated at the Island of Manhattan July 15, 1630. This document, which is rather an acceptance or memorandum of purchase than a deed, being unsigned by the Indian grantors, has been preserved in the New York State Library and a photographic copy was given to the Historical Society of Delaware by Gen. Meredith Read. It has also been published in Hazard's Annals, p. 23. It is impossible at this day to determine the bounds of the tract, but it must have comprised the greater part of the bay front of the present counties of Sussex and Kent from Cape Henlopen northward being thirty-two miles (eight Dutch miles) long and two miles or half a Dutch *groot* *Mylen* broad. The Dutch probably over-measured the land and came north to the mouth of the Mahon River, (38) instead of (32) miles, and that in a straight line instead of following the curves of the coast. The document which is signed by Peter Minuit, Jacob Elbertson Wissink, Jan Jaenen Brouwer, Simon Dircksen Pos, Reynier Harmensz and Jan Lampe reads in part as follows:

"We, the Directors and Council of New Netherlands, residing on the Island of Manhattan and in Fort Amsterdam, under the authority of their High Mightinesses the Lord's State General of the United Netherlands, and of the Incorporated West India Company Chamber at Amsterdam, hereby acknowledge and declare, that on this day, the date underwritten, came and appeared before us in their proper persons, Quessacous and Entquet, Sicoesius and the inhabitants of the village, situate at the South Cape of the bay of South River, and freely and voluntarily declared by special authority of the rulers, and consent of the commonality there, that they already on the first day of June, of the past year 1629, for, and on account of certain parcels of cargoes, which they previous to the passing hereof, acknowledged to have received and got into their hands and power, to their full satisfaction, have transferred, ceded, given over, and conveyed, in just, true, and free property, as they hereby transport, cede, give over, and convey to, and for the behoof of Messrs. Samuel Godyn and Samuel Blommaert absent; and for whom, We, by virtue of our office under proper stipulation, do accept the same, namely, the land to them belonging, situate on the south side of the aforesaid Bay, by us called the Bay of the South River, extending in length from Cape Henloffen, off into the mouth of the aforesaid South River, about eight leagues (*groot* *mylen*), and half a league in breadth into the interior, extending to a *certain marsh* (*lieyte*) or *valley*, through which these limits can clearly enough be distinguished. And, that with all the action, right, and jurisdiction, to them in the aforesaid quality therein appertaining, constituting and surrogating the Messrs. Godyn and Blommaert, in their stead, state, zeal, and actual possession thereof; and giving them at the same time, full and irrevocable authority, power, and special command to hold in quiet possession, occupancy and use, tanquam Actores et Procuratores in rem propriam the aforesaid land, acquired by the above mentioned Messrs. Godyn and Blommaert, or those who may hereafter obtain their interest; also, to so barter and dispose thereof, as they may do with their own well and lawfully acquired lands."

So much of this quasi deed must suffice, the remainder being unimportant and technical. The first actual Indian deed on record in Delaware is given in the preceding chapter.

terest in Van Rensselaer's patents, and Blommaert and Godyn sharing similarly with their partners the tract on the South River and Bay (or Godyn's Bay, as it now began to be called).

Godyn and Blommaert, in order to hold, or rather secure full title to their tract, had to colonize and improve it, and, in the accomplishment of this, David Pietersen De Vries, of Hoorn, a North Holland port, "a bold and skilful seaman and master of artillery in the service of the United Provinces, became the leading instrument." De Vries, a skipper who was known to Godyn and, who in 1624, had tried, unsuccessfully, to invade the West India Company's monopoly, and now newly returned from a three years' cruise to the East Indies, was offered an opportunity to go the New Netherlands as a captain and "second patroon." But he declined to enter into the project on any terms save equality with the rest, which finally being agreed to, he was made a patroon on October 16, 1630, and taken into partnership with Godyn, Blom-



DAVID PIETERSEN DE VRIES.

maert, De Vries and Van Rensselaer, and about the same time four other directors of the West India Company, Van Ceulen, Hamel, Van Haringshoek and Van Sittorigh, were admitted to the land "pool," as it would now be called. The captain now set to work to advance the enterprise of his associates. The ship "Walvis," or "Whale," of eighteen guns, and a yacht were immediately equipped and sailed from the Texel, in December, 1630, to plant the first settlement within the present boundaries of the State of Delaware, a settlement which has a mournful interest, from the fact that all of its people were massacred by the Indians. The vessels carried on immigrants, cattle, food and whaling implements, for De Vries had been told that whales abounded in Godyn's Bay, and he intended establishing a whale and seal fishery there, as well as a settlement and plantations for the cultivation of tobacco and grain. The expedition sailed from the Texel, in December, under the command of Peter Heyes, of Edam (for De Vries did not go out at this time,

as stated by some writers).¹ They arrived in South River, in April, 1631. Sailing up the southern or west shore the "Walvis" and her consort, just above the present Cape Henlopen, entered "a fine navigable stream, filled with islands, abounding in good oysters," and flowing through a fertile region, and there the immigrants—about thirty in number, all males—were landed, and the first colony in Delaware established. The place was near the site of Lewes, and the stream was what is now known as Lewes Creek, but was then named, by Heyes, Hoornkill, and subsequently corrupted into Whorekill or Horekill.² The settlement was called Zwaanendael or Swanvale, and a small building,³ surrounded with palisades, was given the name of Fort Oplandt. The land at Zwaanendael, or the Valley of Swans, was again purchased, evidently in a kind of confirmatory way, by Peter Heyes and Gillis Hussett, respectively the captain and commissary of the expedition, on May 5, 1631, from Sannoowons, Wiewit, Penehacke, Mekowetick, Teehepewuga, Mathamem, Saccock, Anchoopoen, Janqueus and Pokahake, who were either Lenape or Nantieske Indians.

Soon after the colonists were comfortably settled at Zwaanendael, Heyes crossed to Cape May and bought from ten chiefs on behalf of Godyn, Blommaert and their associates a tract of land twelve miles square which purchase was registered at Manhattan June 3, 1631. Then after demonstrating that nothing was to be expected from the whole fishery, Heyes sailed in September for Holland to report to his employers, leaving Hossett in command of Fort Oplandt and the colony of Zwaanendael. Just how the massacre of the settlers came about was never known, but there is reason to believe that it was incited by wrongful or at least unwise acts on the part of Hossett and his men. The Dutch says one account (given to De Vries by an Indian) as was the custom, erected a pillar and placed a piece of tin upon it, traced with the coat of arms of the United Provinces. One of the chiefs not knowing the gravity of the offence, took away the tin to make pipes from it, which created great indignation among the officers of the little garrison. The Indians, continues this narrative, were exceedingly anxious to make amends to the white men, for they entertained an awe and reverence scarcely inferior to that which they accorded the gods, and slaying the

¹ Ferris and Vincent have both fallen into this error, doubtless from the fact that De Vries was at the head of the enterprise and that he was afterwards on the Delaware.

² There is not the slightest evidence that this name had its origin in the alleged ill behavior of the Indian women of the region. It was an undoubtedly named after Hoorn of Holland with the affix of "kill" the Dutch for river, and corrupted by the English into Whorekill which name after the arrival of Penn was applied to all of the territory included in Sussex County. Cape Hen was also named after the "fatherland" town of Hoorn by William Christina Schouten.

³ This is said to have been a brick house, but there is no mention of either of the ships bringing over bricks or brick-making implements in their cargo.

offending chief brought a token of their act to the fort hoping thus to appease the white Manitou's anger. They were rebuked for this act, which they thought would prove propitiatory, and went away displeased. Some of the friends of the murdered chief who had taken no part in the crime and regarded it as being actuated by the Dutch, resolved upon revenge, and stealing upon them when with the exception of one sick man they were all at work in the fields, slew them, afterwards going to the fort and making the massacre complete by killing its solitary occupant, and shooting twenty-five arrows into a huge chained mastiff. This account of the destruction of the first colony of white men within the boundaries of Delaware is open to doubt, so far as the provoking cause is concerned, but it appears certain that the whites were greatly to blame. Whatever may have been its causes the massacre was a melancholy fact, and thus was shed the first white blood upon the Delaware.

DeVries early in 1632 had made preparations to visit the colony, inspect its condition and place more settlers there. Just as he was ready to sail from the Texel in command of another ship and yacht, on May 24, Governor Minuit arrived from Manhattan with the startling intelligence of the massacre at Zwaanendale. Notwithstanding this discouraging news he sailed, and after a tedious voyage (making their customary immense detour to the southward) arrived off the Delaware coast early in December, knowing long before he saw land that it was near "by the odor of the underwood which at this time of the year is burned by the Indians in order to be less hindered in their hunting." On the 3d of December the weary voyagers saw the entrance of the Bay; on the 5th sailed around the Cape, and on the 6th ran with the coast up the Hoorukill, having first taken precautions against an ambushed attack by the savages. DeVries doubtless had hopes that the massacre would prove to have been of a less pending character than had been represented; that some of the men had escaped or been spared; but he found that his worst fears had been realized and the scene that met his eyes, even before landing told too well of the fact of the settlement. The stockade had been burned and the dwelling or store house which constituted the stronghold of Fort Oplandt was nearly ruined. But the worst was reached when they came to the place where their countrymen had been butchered, when they found "the ground bestrewed with heads and bones of their murdered men, and near by the remains of their cattle." Silence and ruin and desolation reigned in the once lovely valley. The melancholy little search party returned to their ship, and having as yet seen no Indians, DeVries ordered a cannon fired with the hope of bringing some of them down to the shore, but none came

that day. Upon the next, the 7th of December, they discovered several Indians near the ruins of the fort, but they would not come down to the ship. They evidently feared to approach and desired the whites to come on shore, which DeVries did the following day, being anxious to learn some particulars of the massacre if possible. He went up the stream in the yacht in order that he might "have some shelter from their arrows," and found a number of the natives, but they were very shy, and it was some time before he could induce any of them to go on the vessel, though he finally succeeded in gaining their confidence. He then received the story, already given in substance, which was very probably a fabrication designed to palliate the action of the Indians and at the same time to conciliate the Dutch. DeVries did not care to investigate too clearly a deed which was irreparable, and which he felt assured originated in some brutality or debauchery among his own race. He already knew something of Dutch cruelty, and attributed the massacre of Hossett and his men to "mere jangling with the Indians" and made a treaty of peace with them and sealed it with presents—duffels, bullets, hatchets and Nuremburg toys" after the usual custom.

De Vries and his men lingered in the region of Lewes Creek through the remainder of December, attempting, it is supposed, to capture whales, but on January 1, 1633, navigation being open, they weighed anchor and sailed up the bay and river to Fort Nassau, where he arrived on the 5th. There De Vries met some of the natives, who desired to barter furs for corn, of which, however, he had none, and was thus unable to trade with them. The Indians made a show of offering peace, but their actions were suspicious, and he was warned by a squaw whom he gave a cloth dress, that their intentions were evil. He noticed, too, that some of them wore English jackets, and presently learned that they had recently murdered the crew of an English sloop, said to have come up the river from Virginia, and, as they greatly outnumbered his men, the wary captain dealt with them very cautiously. On the 6th he anchored in front of the Timmer Kill (Timber Creek), fully prepared for the Indians if they intended harming him, and soon their canoes came shooting from the shore and approached the yacht. Forty odd of the natives clambered on board. Their visit was probably made with pacific intent, but they were closely watched, and when the captain thought they had been there long enough, he ordered them ashore, threatening them to fire if they refused to depart, and telling them that he had been warned by their Manitou (God or devil) of their wicked designs. On the 8th, after cruising up and down the river, he again returned to his position before the fort, which was now thronged

¹ De Vries, p. 261.

with Indians, and presently a canoe came off with nine of them, who, when they came on to the yacht, were found to be chiefs. They crouched in a circle, and gave the captain to understand they had found he was afraid of them, but that they desired only peace and trade, and presented ten beaver skins, with much ceremony, in token of their friendship. On the 9th and 10th he obtained from them a small quantity of corn and a few furs, and on the latter day dropped down the river and anchored half a mile above the Minquas Kill (Christiana River), on the lookout for whales. His yacht was afterwards twice frozen fast in the ice, and he was in some danger from Indians, of whom he saw numerous bands, there being some internecine war among them. He reached Zwaanendael, after most vexatious delays, on February 20th, and on March 6th sailed for Virginia to procure, if possible, supplies for his colony. He was upon his arrival there met by the Governor and some officers and soldiers, who treated him very cordially, but told him that the South River belonged to the British by right of discovery. The Governor appeared never before to have heard that the Dutch had built forts and placed settlements upon the river, but spoke of a small vessel that had been sent some time before to explore the stream, and of which nothing had since been heard although she was long since due. De Vries then narrated what had been told him by the Indian squaw in regard to the murder of a boat's crew, and related the circumstance of having seen some of the Indians wearing English garments. Purchasing provisions and receiving a present of half a dozen goats, De Vries set sail again to the northward, and in due time reached Zwaanendael. He found that his men stationed there had taken seven whales from which they had rendered thirty-two cartels of oil, but as the fishing was too expensive in proportion to the proceeds, and the colony being so small that it could not reasonably be expected to maintain itself and resist the Indians, he took the few adventurers there and sailed to Manhattan and thence to Holland some time in the summer of 1633. Thus the Delaware Bay was again abandoned to the Indians, and no people but they broke the solitude of its shores or trod the melancholy, blood-stained and desolate ground of the "Valley of Swans," the site of Delaware's first settlement, for many years.

According to English rule, occupancy was necessary to complete a title to the wilderness. The Delaware having been reconquered by the natives, before the Dutch could renew their claim, the patent granted to Cecilus Calvert, second Lord Baltimore, on June 20, 1632, gave the Dutch an English competitor in the person of the proprietary of Maryland.

Two years after the departure of DeVries and his colonists from the Delaware on the 7th of February, 1635, the whole of the patroon lands on both shores of the bay, one stretching along the coast thirty-two miles and the other embracing Cape May and the surrounding country for a distance of twelve miles, were sold by Godyn, Blommaert and their associates to the West India Company, for fifteen thousand six hundred guilders or six thousand two hundred and forty dollars. This was the first land sold by whites upon the Delaware Bay or River.

Fort Nassau, which was unoccupied except by Indians in 1633, must have been garrisoned soon afterwards, for in 1635 a party of Englishmen from the colony on the Connecticut River, who sought to make a settlement on the Delaware endeavored to capture it, but were thwarted, captured and sent as prisoners to Manhattan. It is probable that the fort was continuously occupied by the Dutch from this time to and after the settlement on the river by the Swedes in 1638, and it certainly was in that year as the accounts of expeditions for its maintenance in the West India Company's books prove. But other than this infinitesimal dot of slowly dawning civilization, near the present town of Gloucester, N. J., there was nowhere upon the shores of the river and bay any sign of human habitation, save the occasional wigwam of the natives; and the great wilderness that stretched away, no one knew whither, from the royal water-way lay as a virgin region awaiting the coming of man. But preparations were again making beyond the ocean—this time in far away Sweden—for the peopling of these shores.

CHAPTER V.

NEW SWEDEN ON THE DELAWARE

SWEDEN was now to become the competitor of France, and England, and Holland for a foothold in North America. The liberal mind of Gustavus Adolphus early discerned the benefits to his people of colonies and an expanded commerce; and William Usselinx, the projector of the Dutch West India Company, visiting the Baltic, quickened the zeal of the sagacious sovereign. Turning to Sweden and contemplating the complex beginning of her colonization project, which resulted in the planting of the first permanent organized settlement on the Delaware, in 1638—Christinaham, the site of which is now embraced in the city of Wilmington—one of the most noteworthy and curious facts, which presents itself to the student, is, that the three individuals chiefly instrumental in accomplishing that work were men who

had already become prominent in the Dutch colonial enterprises. These were William Usselinx, Peter Minuit and Samuel Blommaert—names with which the reader of the preceding chapter is already familiar, knowing them to have been respectively those of the first projector of the Dutch West India Company, in 1621; a Governor of New Netherlands and a patroon proprietor of great land tracts on the Delaware, one of which included the site of the unfortunate colony of Zwaanendael, upon the Hoorndel.

Usselinx, as has been shown, left Holland late in 1623 or early in 1624, impoverished and stung by the ingratitude of the Dutch. He went immediately to Sweden and there made, through Chancellor Axel Oxenstierna, to King Gustavus Adolphus,—the, then, most commanding figure in Europe and the chief defender of Protestantism,—a proposition to establish a Swedish Trading Company to operate in Asia, Africa and America, but to especially direct its energies to the latter. Both King and Chancellor embraced the enthusiast's project, with alacrity, and their interest and assistance knew no abatement, save through the pecuniary embarrassments, political changes and wars which unfortunately ensued. Usselinx, in urging all the advantages that might accrue to the nation and individuals by the enterprise, stated that there were thousands of miles of shore in America where no Spaniards or Dutch had ever been, with fertile soil, and good climate, to the natives of which their superfluous goods could be sent and from whom other goods taken in return: that colonies might be planted on these shores to the great benefit of the mother country and vastly extending His Majesty's dominions, and that the causes of civilization and Christianity might be greatly advanced. "Above all," said he:—

"It must truly be said that the most important object at which all pious Christians should aim, is that a knowledge of and friendship with so many different nations must serve most powerfully to the honor of God, which is effected partly by preaching the befitting word of our Lord Jesus Christ to those nations who have hitherto lived in blindness, idolatry, and wickedness, so they will be brought to the light of truth and eternal salvation. In those countries where trade had hitherto been carried on, the natives, for want of a mild government, had been in a great part extirpated, and those that remained so much oppressed that life had become a burden to them."¹

For the settlement of such a company as Usselinx proposed the King granted letters patent, dated November 10, 1624, creating the Swedish South Sea Company which it was provided, should go into operation May 1, 1625, and continue twelve years, or until 1637. On the 21st day of the next month Gustavus Adolphus authorized Usselinx to travel through the kingdom and solicit subscribers to the stock of the Company and gave him a kind of general letter of recommendation in which he said:—

"The honest and prudent William Usselinx has humbly represented and demonstrated to us by what means a 'General Trading Company' could be established here in our kingdom. We have taken his proposition into consideration, and find it is founded and based on such good reason that we cannot disapprove of it, but see, if God gives luck, that it certainly will tend to the honor of His holy name, to our States' prosperity, and to our subjects' improvement and benefit."

A second charter for the company was granted by the King, June 14, 1626, which was similar in all essential matters to that of two years before, except that it changed the time for going into effect from 1625 to 1627. It consisted of thirty-seven articles and was introduced with the following words by the King:—

"Finding it serviceable and necessary to the welfare and improvement of our kingdom and subjects that trade, produce and commerce should grow within our kingdom and dominions, and be furthered by all proper means, and having received of credible and experienced persons good information that in Africa, Asia, America and Magellanica, or Terra Australia, very rich lands and islands do exist, certain of which are peopled by a well governed nation, certain others by heathens and wild men, and others still uninhabited; and others not as yet perfectly discovered, and that not only with such places a great trade may be driven, but that the hope strengthens of bringing said people easily, through the setting on foot commercial intercourse, to a better civil state, and to the truth of the Christian religion, We Gustavus II. Adolphus, King of Sweden," etc., "for the spread of the holy Gospel and the prosperity of our subjects" . . . have concluded to erect "a general company or united power of proprietors of our own realm, and such others as shall associate themselves with them, and help forward the work, promising to strengthen it with our succor and assistance," . . .²

The charter fully set forth the objects of the corporation; provided that it should be open to all countries, cities and individuals, and that those of them who should bring one hundred thousand thalers should be entitled to appoint a director; guaranteed national protection; assured a crown subscription of four hundred thousand thalers; fixed numerous other details and prescribed a form of government for the company.

That the services of Usselinx were neither ignored nor inadequately estimated is apparent from the thirty-third article, in which he is most favorably spoken of and a plan established for his pecuniary recompense, viz:—

"Whereas William Usselinx, born in Antwerp, Brabant, has spent the most of his time in investigating the condition of the above-named

¹ Although the honor of projecting the first Swedish settlement in America belongs to the distinguished founder of the Dutch West India Company, William Usselinx, the credit of devising the details of the scheme, and of successfully executing it, is due to the former Director of New Netherlands and first Governor of New Sweden, Peter Minuit. In a letter addressed to Peter Spring, June 15, 1636, on the eve of his departure from Holland for Sweden, which appears to have been laid before the Royal Council on September 27, 1636, he makes the formal offer of his services for the founding of the colony of New Sweden (now first so-called), as well as a specific statement of what was regarded as necessary for the equipment of the first Swedish expedition to the Delaware. This letter has been translated from the original Dutch by Professor G. B. Keen, a very able and industrious Pennsylvania writer, and is published in the *Pennsylvania Magazine*, Vol. VI., p. 458. Samuel Blommaert, who was associated with Minuit and Usselinx in their scheme to colonize Delaware, was a merchant of Amsterdam, distinguished himself in 1607-9 in the service of the Dutch East India Company, and was now (1636) a partner in the Dutch West India Company. In 1639, as has been stated elsewhere, he became a partner in the colony of Rensselaerswyck, and in a patronship which established a settlement called Zwaanendael, near the site of the present town of Lewes, Delaware, the following year. He was appointed Commissioner for the Swedish enterprise at Amsterdam, and held that office until the beginning of 1640. In 1647 he was a Commissioner in the Board of Accounts of the Dutch West India Company, and was Accountant-General at the time of his death, which occurred about 1652.

² "Some Account of William Usselinx and Peter Minuit," by Joseph J. Mickley.

Countries, (the West Indies and America), and, according to the testimony of the States-General of the United Provinces, the late Prince Maurice of Orange, and several historians, that he is the first projector and beginner of the established West India Company in Holland, and has given the Lords States-General good instructions, so he has also given us, by his good advice and information, great satisfaction,—he has obligated himself to remain in our service and communicate faithfully and candidly everything that came to his knowledge on the subject through long experience and industry,—therefore have we, for his past and future promised services, trouble, labor and expenses, allowed him to receive from the company one out of every thousand (of florins) of all the goods and merchandise which shall be bought, traded, or sold, as long as trade continues to the countries mentioned in this charter. Thus the said company shall be obliged to pay one out of a thousand (florins) to Usselinx, his attorney or heirs."¹

The King was a profound, far-seeing statesman and liberal thinker; and he therefore proposed that freedom of conscience and speech should prevail in any colony founded under the Swedish ægis and that to it should be welcomed all exiles from the battle-torn fields of the old world. No slaves should tread its soil "for," he said, "slaves cost a great deal, labor with reluctance and soon perish from hard usage. But the Swedish nation is industrious and intelligent, and hereby we shall gain more by a free people with wives and children."

The project thus warmly endorsed by Gustavus Adolphus was received with enthusiasm by his subjects. "It is not to be described," says one writer,² "how much all these new schemes delighted the Senators, particularly that relative to the establishment of the West Indies (as America was then called), to which all people subscribed readily and generously, in conformity to the example set them by the king." Ships were made ready and according to some authorities actually sailed for America,³ but fell into the hands of the Spaniards, and then the Thirty Years War being renewed and Sweden needing all her men and money at home, all further efforts towards colonization were for the time abandoned. During the period which followed there was little respite in the war and the consequent political turmoil, and the undivided attention which the successful maturing of the scheme demanded could not be bestowed upon it by those in authority. Finally came a serious blow alike to the country and the prospects of the company in the death of the brave and high-minded King, who fell in the battle of Lutzen, November 6, 1632. Almost his last act in civil affairs had been his extension of the charter to include Germany in the privilege of the company and his authorization to Usselinx to travel in that

country to appoint assistants to collect subscribers. In this document dated October 16, 1632 (signed and sealed by Chancellor Oxenstierna) the King styles Usselinx, "Our now authorized Over Director of the New South Company, our dear and faithful William Usselinx." After the King's death, on June 26, 1633, Oxenstierna in a public letter confirming his appointment as agent for Germany calls him "the first projector of the South Company, now appointed Over Director, the honorable, our particularly beloved William Usselinx."⁴ The disastrous engagement with Germany in regard to the company was entirely broken off by the defeat of the Swedish army at the battle of Nördlingen, August 27, 1634, and Usselinx then endeavored, though ineffectually, to interest the French Government in the scheme.

And now in 1635, after nine years of, for the most part, well-directed but intermittent and productive labor, and too, amid the very same disadvantages which had defeated the original project, there was begun what was, in many essential respects, a new movement for the colonization of New Sweden, and one which culminated in success. Concerning the affairs of this period in which the Chancellor Axel Oxenstierna, Peter Minuit, Samuel Blommaert and Peter Spiring were the chief actors, a Swedish investigator⁵ has in very recent years discovered interesting data.

The King, a short time before his death, had freshly urged public attention to the trading and colonization scheme, and Oxenstierna, to whose wise guardianship, he had entrusted his little daughter, Christina, the future Queen of Sweden, officially reiterated his well-known desires. He also stated that the work was almost carried to completion, but was delayed by the absence of the King in the crusades, in Prussia and Germany and from other causes. Fully realizing the importance of the project which had been left him as a political legacy and trust, the Chancellor in the spring of 1635, while sojourning at the Hague and Amsterdam, made the acquaintance of Samuel Blommaert, the commercially ambitious Hollander, whose land investments on the Delaware

¹ Usselinx, afterwards, went into France to induce that government to engage in the Swedish South Company. In 1639 he attempted to form an alliance between Sweden, France and England, as a security against Spain, and in 1640 he endeavored to interest the Hansa Towns in the same affair, but he was unsuccessful in all these schemes. In 1634 he was appointed Swedish agent in Holland.—*Joseph J. Mickley's Account of Usselinx and Minuit.*

² C. T. Odhner: "Kolonien Nya Sveriges Gröndagging, 1637-1642 Hist. Bibliotek. My följd I 88 197-225 (Stockholm, 1874). This work translated by Prof. G. B. Keen, for the *Pennsylvania Magazine of History and Biography* appears under the title "The Founding of New Sweden," in Vol. III. pp. 269-284 and 395-411. Prof. Odhner's contribution throws new light upon the expedition to the Delaware and enables us to correct the errors into which most writers have fallen from following too closely the writings of Campanius and Acrellius, who were either not in possession of the sources of information now revealed, or valuing them too lightly, used them carelessly. The former is notoriously erroneous and the latter, though accurate as far as he goes, did not examine the records in Sweden as clearly as he did those of the Swedish churches in America.

¹ Documents Relating to the Colonial History of New York. Vol. XII. (Edited by B. Fernow), p. 13; also Mickley's pamphlet, Hazard's Register, and Vincent's History of Delaware, page 119.

² Harte's Life of Gustavus Adolphus.

³ Harte asserts that "a little Swedish squadron" actually sailed for America, but that "the Spaniards contrived, dexterously enough, to make themselves masters of it." A similar statement is made by Campanius, who adds that the ships had been stopped by the Spaniards in order to aid the Poles and the Emperor of Germany, and further narrates that America was visited and settled by the Swedes in the reign of Gustavus. But the authorities agree, in the conclusion, that no settlement was made until the following reign; and that if any Swedes were in America at an earlier period, they could only have been a few individuals who adventured with the Dutch.

have already been referred to, and after his departure, kept up a correspondence with him, which had the effect of giving a new impetus to Swedish-American affairs. One of the first of Blommaert's letters made inquiry as to the prospects of a Swedish expedition to Guinea, to which country and Brazil the attention of the Dutchman seems then to have been principally devoted, and subsequent letters dealt largely with a description of the commercial and maritime enterprises of Holland. In the following year Oxenstierna received a visit in Wismer from another Dutchman who was, however, engaged in the Swedish service and stood high in the esteem of the government. This was Peter Spiring, who was now sent to Holland on a commission to gain subsidies for Sweden from the States General and also "to observe whether it might not be possible in this conjuncture to obtain some service in affairs of commerce or manufactures." He wrote the Chancellor, in May 1636, that he had held several conversations with Blommaert concerning the trade with Guinea, and had sought to interest in it him and other Dutch men of business. He also heard from Blommaert of the person best qualified to impart information on these subjects, viz., Peter Minuit, the leader of the first Swedish expedition to the Delaware.¹

Minuit, whom it will be borne in mind, was Director of the Council, or President of the Board of the Holland West India Company, and Governor of Netherlands, resident on the Island of Manhattan, from May 4, 1626 to 1632, was a native of Wesel, in the war-torn Cleves in the Rhine provinces of Germany. He was probably compelled to relinquish his position, in 1632, by the intrigue of a powerful faction of the company, and thereafter seems to have led a retired life, in Holland, until 1626, when he was brought into notice by Spiring.² It was proposed that Minuit should journey to Sweden in the summer of 1636, "to aid the authorities with his counsel and superior information," but he was unable to do so, and sent a written communication (dated June 15) in which he said :

"As West India has been gradually occupied by the English, French and Netherlands, so it appears to me that the Swedish government should not remain inactive. Thus in order to spread its name in foreign countries, have I, the undersigned, been desirous to offer my services to the Swedish government,—to begin on a small scale, which, through the blessing of God, may in a short time result in something great. In the first place I have proposed to Peter Spiring to make a voyage to Virginia's New Netherlands and other parts adjoining,—safe places, well known to me, with a good climate,—which should be named *Nova Sweden*."

He suggested that the Swedish Government might grant a charter to secure the trade from Terra Nova (Newfoundland) to Florida, and also grant power to capture Spanish and Portuguese vessels, and that the goods of the company should be made free from duty, both in and out, for a period of ten years. He thought that the company ought to "try to get there the sooner the better, and procure friendly terms with the wild inhabitants, so as to induce them to collect beaver-skins during the winter; trade with them for four to five thousand skins. Thus, with a small beginning, increase the capital, so as to take more in hand afterwards." Such an expedition as Minuit contemplated required a ship of from sixty to one hundred *lätters*,³ with a cargo worth ten thousand to twelve thousand gulden,⁴ and a company of twenty or twenty-five men, with provisions for a year and a dozen soldiers to serve as a garrison for the colony which should be located, besides a smaller vessel to remain at the settlement. This proposition of Minuit's or one based upon it was read in the Swedish Råd, September 27, 1636, and seems to have been favorably regarded by that body as well as by Oxenstierna, Spiring, Blommaert and other interested individuals.

In the fall of 1636, Spiring was again sent to Holland, but this time as Swedish resident and "Counsellor of the Finances, ennobled under the name of Silfvercron till Norshalm (with which he coupled his own name, usually writing it Peter Spieringck Silvercroen of Norshalm). He immediately resumed negotiations with Minuit, and Blommaert, (the latter of whom was now made Swedish Commissary⁵ at Amsterdam), the final result of which was that the expedition to Guinea was given up, because regarded as ultimately involving too great expense and the coterie resolved to form a Swedish-Dutch Company, for the purpose of carrying on trade with and establishing colonies upon those portions of the American coast not already occupied by the Dutch and English. It was estimated that the cost of the first expedition would be about twenty-four thousand Dutch florins,⁶ half of which was to be contributed by Blommaert, Minuit and their friends and the remaining half to be subscribed in Sweden.

¹ Prof. Ollner (translation) in *Pennsylvania Historical and Biographical Magazine*. Vol. III., p. 274.

² Concerning Minuit's services for the Dutch and the severance of his relations with the West India Company, Mickleth in his little monograph on *Veselinus and Minuit* says: "He remained in office until 1632, when a dispute arose between the West India Company and the patroons, in which Minuit was suspected of being in favor of the latter, in consequence of which he either resigned or was dismissed. This is not quite clear. Minuit left New Amsterdam in the ship 'Eendracht' (Concord) in the same year, 1632, with a cargo of five thousand beaver-skins. After his arrival at Portsmouth he was detained, with the ship and cargo, by command of the English government, under pretence that the country where he traded to belonged to England. He was, however, soon after released, and finally arrived safe in Amsterdam, with his valuable cargo, in May, 1632. No public records have as yet been found, either in New York or Holland, relating to that period of time in which Minuit was director at New Amsterdam, excepting a deed or warrant for land to Godyn & Blommaert, which land is situated on the east side of the Delaware (now Cape May). This is dated Manhattan, July 13, 1630; signed by P. Minuit and others."

³ From 720 to 1200 tons.

⁴ Not far from \$4000 to \$4800 in gold.

⁵ Equivalent to Consul General.

⁶ Two and a half Dutch florins were equal to about one Swedish riksdaler and the above sum was equal to nine thousand six hundred riksdalers or seven thousand two hundred dollars gold.

Spiring was desirous of taking into their confidence other business men, but their companions protested against it and urged secrecy as the only safeguard against the frustration of their scheme by the Dutch West India Company. This affords a somewhat caustic commentary upon the methods by which the first Swedish colonies were planted upon the Delaware and explains why so little was known of the early movements towards that object by cotemporary historians. Blommaert was a member of the Dutch company, but no less zealous for the welfare of the Swedish enterprise on that score, and indeed he had been engaged in contention with the company, which, doubtless had its effect in making him a party to the new project, but it is, nevertheless, a notable fact that he was not taken into the confidence of his associates.

Minuit, when these preliminaries had been arranged, in February, 1637, went to Sweden and began preparations for the expedition of which it was agreed he was to be commander. The money required from Sweden was contributed by Axel Oxenstierna and two of his relatives, Peter Spiring and Clas Fleming, who was practically the chief of the Swedish Admiralty and secretary of the Swedish company. It was he who obtained the commission to fit out the ships, and he carried out the details of equipment with Minuit and Blommaert. The latter procured the crews of experienced men, in Holland, and also bought there the articles for the cargoes for trading purposes. Both men and goods were sent over to Gottenburg, whence the expedition was to sail in the spring, but owing to Minuit's being seriously sick, a long delay ensued. On the 9th of August, the Admiralty issued passports for the ships "Kalmar Nyckel" (Key of Kalmar) and "Vogel Gripen"¹ (the Griffin, or Bird Griffin), the former a large man-of-war, the latter a sloop, to sail from Stockholm, and they did not leave Gottenburg until late in the fall. Even after sailing from this port, the vessels were delayed by adverse winds and stormy weather, and as late as December had to put into the Dutch harbor of

Mendemblik, to repair damages and procure provisions. The thrifty Dutch partners were sorely worried by all of these vexatious hindrances and consequent expenditures, for already the expenses of the expedition had been calculated at thirty-six thousand florins, or half again as much as the sum which had at the outset been deemed sufficient and they were fearful that they would realize no profit from their venture. Minuit promised, however, upon his return, to induce the Swedish government to assume the extra expenditure and finally their minds were, in a measure, comforted by the departure of the "Key of Kalmar" and "Griffin" just as the year, 1637, drew to a close.²

Of that old-time venturesome voyage across the ocean which resulted in placing the first permanent settlement on the shores of the Delaware River, within the boundaries of the State named for it, nothing definite is known. The passage was doubtless by the circuitous southern route, along the coast of Portugal and by the way of the Azores and Canaries to the West India Islands and thence northward, along the American shore, to the entrance of the Delaware Bay. What may have been the thought of the few persons on the two vessels, thus breasting the waves, day after day, in their progress towards a practically unknown land, may be partly conjectured. What vague hopes and vaguer fears filled some of those breasts may be imagined. They had heard misty and fabulous stories of the wealth, and salubrity, and luxuriance of the country to which the winds of heaven were bearing them and they heard, too, tales of the cruelty and blood-thirstiness of the strange race who dwelt there. Some of them must have had knowledge of outrages committed in the country, and those who knew the actual destination of the ships were not, improbably, aware, also, of the awful fate of the Zwaanendael colonists. Some of the sailors had, very likely, visited these shores before, in the Dutch service, and they and the commander Minuit knew something of the condition of the country, but the rest were in almost absolute ignorance of the situation and circumstances that awaited them. The mind of Minuit was, doubtless, filled with dreams of personal renown and of the future glory and enrichment of the company he represented. A few may, perhaps, have been piously praying and planning for the Christian enlightenment of the savages, (but this is doubtful, for the first clergyman was yet to come to the Delaware),³ and it is not probable that there were many religiously inclined persons among the emigrants, each and

¹ G. B. Keen, in a note to his translation of Odhner, (*Pennsylvania Magazine of History*, Vol. III, p. 277) says, "The passes granted were to Capt. Anders Nilsson Kraber, of the 'Kalmar Nyckel' (in Dutch, *De Kalmars leutel*), and 'Vogel Griep' (Dutch, *De Vogelgriep*), commanded by Lieut. Jacob Borlen. The 'Key of Kalmar' (named after a city of Sweden, on the Baltic coast of Gothland, off the island of Oland, and famous as being the place where the union of Denmark, Sweden and Norway was consummated in 1397, under the imperious Queen Margaret of Denmark, called the 'Semiramis of the North') was a regular man-of-war of quite good capacity. The 'Griffin' (or 'Bird Griffin') was a sloop or yacht for shallow water. The cost of the expedition, through delays, ran up above thirty-six thousand florins, causing the Dutch subscribers to grumble. The only person, so far as known, who came to new Sweden on the 'Gripen' and remained with the colony was *ein murren oder angeler*, 'a Moor or Angla man,' a negro named Anthony, a bought slave (the first on the Delaware), who served Governor Printz at Tinnecum in 1644 ('making hay for the cattle and accompanying the Governor in his pleasure-yacht'), and was still living in 1648."

² Blommaert sent news of the departure to the Chancellor in a letter dated January 8, 1638.

³ Reorus Torkillus, the first Swedish clergyman on the Delaware, was not with this expedition as has been stated by Ferris, Vincent and others, but came in the second expedition, in 1639.

every mind, of that small but mixed assemblage, had its own thoughts of the half mysterious country to which they were bound and mingled with these misty musings were the distinct, almost photographically vivid, memories of the Fatherland, thousands of miles away.

Whatever the incidents of the voyage, the adventurers were blessed with a safe, and, for the times, a speedy passage. The winds that filled the sails of the stately "Key of Kalmar" and the little sloop "Griffin" were more propitious than those which wafted the early voyagers, for it is certain that they came across the Atlantic in a period not greatly exceeding three months, and five months was not an unusual time for a voyage to America in the ships of that distant day.¹ The actual sailing of the expedition had occurred about the close of December, 1637, or the beginning of January, following, and the ships were upon the Delaware by the close of March, 1638.²

¹ When Rudman and Burk, the Swedish missionaries, were sent to this country under the authority and by order of Charles XI., of Sweden, in 1637, their ship was nine weeks and six days on her passage from Stockholm to London and ten weeks on her way thence to the coast of Virginia. It is also said, that, when Sundel, the Swedish missionary, was appointed to come over and take charge of the church at Wicaco, "He left Sweden on the 21st of August, 1701, and after some detention, in England, and the usual tedious passage across the Atlantic, arrived in the Delaware, on the 12th of March following," or in twenty-nine weeks. In the very interesting account of his voyage from Sweden to the Delaware, by the elder Campanius, we are informed that he sailed from Stockholm, August 16, 1642, and arrived at Christiansa, February 15, 1643. In explanation of his passage, Campanius gives the following narrative of his voyage:

"1642, August 16th.—Sailed from Stockholm.

"August 17th.—Arrived at Dahlenham.

"September 3d.—Left the same.

"September 6th.—Arrived at Copenhagen.

"September 8th.—Landed at Helsingør.

"September 12th.—Came to Gottenburg.

"November 1st.—Left Gottenburg Castle.

"November 14th.—In the Spanish Sea, (supposed off the coast of Spain).

"November 21st.—Sailing along the coast of Portugal.

"November 26th.—Off the Barbary coast.

"November 28th.—South of the Canary Islands.

"December 20th.—Arrived at Antigua.

"1643, January 3d.—Sailed by St. Christopher's and other small island.

"January 24th.—Sounding off the coast of America.

"January 25th.—Saw land near the Capes of Delaware.

"January 26th.—Off Lewistown.

"February 15th.—Arrived at Christiansa. Passage just five months or 170 days.

² That the ships arrived in March, 1638, rather than April, as stated by Vincent, and implied by various writers, is established by the discovery in Sweden (since Odhner wrote, in 1876) of a document which shows that Minuit purchased land upon the Delaware from an Indian chief, upon March 29. If he made this purchase (undoubtedly at the site of Fort Christiansa) upon the date given, he must have passed the capes three or four days previously. That the arrival of the vessels upon the Delaware, occurred in April, has been generally supposed from a letter from Jamestown, written by Jerome Hawley, secretary of the Virginia colony, to secretary Windetank, of the London Company, under date of May 8, 1638, in which he says, that, since March 20th (when he last wrote) "a Dutch ship with a commission from the young Queen of Sweden" had arrived there and remained about ten days. It has usually been inferred (and by Vincent is explicitly stated) that this ship was the "Key of Kalmar" with Minuit on board upon her way to the Delaware, but Odhner shows (by means of one of Blommaert's letters) that it was the sloop Griffin, which, after her arrival on the Delaware, her commander had sent to Virginia with the idea of bartering her cargo—a project not realized. The letter from Hawley, alluded to, is as follows:

"JAMESTOWN, IN VIRGINIA, May 8, 1638.

"Right Hon.—Upon the 20th of March last I took the boldness to present you with my letters, wherein I gave only a touch of the business of our Assembly, referring your honor to the general letters then

The season was an early one, the vegetation well advanced, and to the eyes of the navigators accustomed, for three months, to rest upon nothing but a billowy waste of water, and having last seen land—Sweden and Holland—in the dead of winter, the sight of the shores of Delaware, already green, must have been a refreshing one and filled their hearts with happy anticipations. Wafted by balmy breezes that bore the first spring odors of the unlocked and warming earth—of the bursting buds of vast forests and the grass and flowers of natural meadows, all doubly grateful to the people long-confined in crowded ships, pervaded by a composite stench, the pioneers sailed up the bay and gave expression to the exuberance of delight by naming the first place at which they landed for observation and refreshment, "Paradise Point" (Paradis Udden). To their famished eyes, the verdure-clad shore at this place (which was somewhere between the Murderkill and Mispillion Creek, in the neighborhood of Lewes, in Kent County) was, indeed, a feast of beauty—an earthly paradise,—all unmindful that the desolate site of Zwaanendael was only a few miles away.

The place which they were to make their home was not yet reached, and so after a brief enjoyment of liberty on shore, the people returned to the vessels and weighing anchor sailed up the bay and river, the latter of which they named Nya Sverige's Elf (New Sweden's River). Finally they arrived at the mouth of a stream of goodly size, the Minquas Kil,³ of which Minuit probably had some knowledge through the explorations of Captain Hendricksen,⁴ and doubtless with the fixed intention of locating upon its banks, the vessels steered into its channel and slowly made their way beyond the mouth of the Brandywine to the spot known as "The Rocks,"⁵ an excellent natural wharf, about one mile and three-quarters, following the course of the stream, from the Delaware. Upon these rocks the pas-

sent by Mr. Kemp from the governor and Council. Since which time have arrived a Dutch ship, with a commission from the young Queen of Sweden, and signed by eight of the chief lords of Sweden, the copy whereof I would have taken to send to your honor, but the captain would not permit me to take a copy thereof, except he might have free trade for to carry to Sweden, which being contrary to his majesty's instructions, the governor excused himself thereof. The ship remained here about ten days, to refresh with wood and water, during which time the master of said ship made known that both himself and another ship of his company were bound for Delaware Bay, which is the confines of Virginia and New England, and there they pretend to make a plantation, and to plant tobacco, which the Dutch do so already in Hudson's River, which is the very river northward from Delaware Bay. All which being his majesty's territories, I humbly conceive that it may be done by his majesty's subjects of these parts, making use only of some English ships that resort hither for trade yearly, and be no charge at all upon his majesty.—*Brothhead's London Documents*, Vol. I., pp. 57, 58."

³ The Dutch "Kil" signifies creek.

⁴ See the preceding chapter for an account of Hendricksen's voyage up the Delaware and visit to the mouth of the Christiansa.

⁵ "The Rocks" probably unchanged since the landing of Minuit, in 1638, are upon the northern or Wilmington side of the river, not far from the old Sweden church, at the foot of Sixth St., and within one yard of the McCullough Iron Company's Works.

sengers of the "Key of Kalmar" and "Griffin"—the pioneers of Delaware—disembarked and the cargoes of the two vessels were unloaded. Preparations were immediately begun to meet the wants of the people and to make the place habitable. Upon the ground, immediately back of the creek (which Minuit first called the Elbe, but soon changed to Christiana Elf, after the young Queen) was built Fort Christiana ("Christina Skauts") a small enclosure having the general form of a square, and within the stronghold were erected two log houses for the abode of those who should form the garrison and as a place for the storage of provisions for them, as well as a depository for the goods brought to barter with the Indians. Immediately back of this fort, upon the rising ground, was afterwards laid out and built a small town called Christinaham or Christina Harbor, the first town within the boundaries of Delaware.

The fort extended almost to the Christiana and fronted upon it, while upon its eastern side was also water—a little cove or basin, (now filled up) which was called the Harbor—large enough to admit several vessels. Upon the other sides were low sand banks and marshes except in the rear where the rising ground, already spoken of, gradually widened and extended back to the rolling hills on which Wilmington now stands. At that time there was much more water than at present about this place, and, indeed, it is probable that twice in every twenty-four hours, when the tide was at its height, the occupants of the fort could look from its ramparts or from "the Rocks" over a sheet of water extending to the New Jersey shore, and unbroken save by "Cherry Island." The spot where the fort stood was called by the Minquas (or Mingoe) Indians whom Minuit found in the region Hopokahacking. From one of these Indians, a chief named Metasiment or Mattahoon, the commander bought, on March 29th, this site and probably considerable surrounding land, as much, the Indians afterward said, as "lay within six trees," meaning certain trees, which had been designated by "blazing" or marking with an axe,¹ and a little later he purchased a tract along the west shore of the Delaware, several days' journey in extent, the bargain being ratified by five Sachems, and a written contract drawn up. After Minuit had thus acquired possession of the country, by occupation and purchase from the natives, he caused the arms of the Queen to be erected and named the colony, which he had planted, "NEW SWEDEN."

The Dutch at Fort Nassau (Gloucester, N. J.) either by their own watchfulness through infor-

mation received from the Indians, or possibly by reason of Minuit's appearance near their fort (for it is alleged he or some of his men ascended the river as far as Timber Creek) had early knowledge of the invasion of what they regarded as their domain. William Kieft, who was now the Governor of New Netherlands, had received intelligence of it at Manhattan Island by April 28th, about a month from the time of Minuit's arrival, receiving word from the commissary at Fort Nassau, for upon that date he wrote the directors of the West India Company that Minuit had landed on the Delaware and had begun to construct a stronghold and had tried to push on up the river beyond Fort Nassau, but had been prevented from doing so. The Governor at first ordered the commissary of



Fort Nassau to protest against Minuit's action, and that official duly sent Peter Mey down to the Christiana to see the commander's license and commissions, which he refused to show. The Governor then, on May 6th, old style, or 17th, new style (the Swedes using the former and the Dutch the latter) sent the following solemn protest, in which he laid claim in behalf of the Dutch West India Company to the Zuydt River:

"I William Kieft, Director-General of New Netherlands, residing on the Island of Manhattan, in New Amsterdam, under the sovereignty of their High Mightinesses the State General of the United Netherlands and the privileged West India Company's department at Amsterdam, make known to the Hon. Peter Minuit, who calls himself commissioner in the service of her royal majesty of Sweden, that the whole

¹ Acrelius affirms that at this time Minuit bought all of the land from Cape Henlopen to Sauticau (Trenton Falls) probably confounding this purchase with a later one.

South River, in New Netherlands, has been in our possession many years, and has been secured by us with forts above and below, and sealed with our blood, which has happened even during your direction of New Netherlands, and is well known to you. Whereas you now do make a beginning of a settlement between our forts, and are building there a fort, to our prejudice and disadvantage, what we shall never endure or tolerate, and which we are persuaded it never has been countenanced by her royal majesty of Sweden, to build fortresses on our rivers and along our shores, so is it that we, if you proceed with the building of forts, and cultivating the lands, and trading in furs, or engage further in any thing to our prejudice, protest against all expenses, damages and losses, and will not be answerable for any mishaps, effusion of blood, troubles and disasters which your company might suffer in future, while we are resolved to defend our rights in all such manner as we shall deem proper. This done Thursday, being the 6th of May, anno, 1638.¹

Minuit paid no attention whatever to the Governor's protest. This claim rested upon the prior discovery and occupation of the country, but they had wholly abandoned the west side of the river, and either because they regarded their claim as untenable for this reason, or for the reason that the charter of the West Indian Company prohibited the declaration of war without the consent of the States General, the Dutch submitted quietly to what they regarded as gross usurpation of the Swedes. Then too Kieft, became aware that Minuit's colony bore the commission of the Queen of Sweden, and he knew how distasteful to the Holland Government it would be, should he embroil the country with a great, powerful and warlike nation, with which they had made common cause in many momentous matters, and too there was a strong bond of sympathy between the Swedes and Dutch through their religion, both countries being Protestant. The two nationalities, however, were destined to clash seventeen years later and ultimately both to succumb to the English.

Minuit, after he had made such general provisions as he deemed proper for the little band who were to garrison the fort, prepared to return to Sweden. "He left a portion of the cargo he had brought out," says Odhner's translator, "to be used in barter with the Indians, as well as twenty-three men, under the command of Lieutenant Mans Kling, the only Swede who is expressly mentioned as taking part in the first expedition,"² and Henrik Huyghen, who seems to have been Minuit's brother-in-law or cousin. It was enjoined upon these leaders (of whom the former appears to have been entrusted with the military, the latter with the civil or economical direction) to defend the fortress and carry on traffic with the natives." These instructions appear to have been faithfully carried out, especially those in regard to trade, and the success of Swedish Indian affairs to have been established from the start.

It was probably in July that Minuit made his departure from these shores, which it was fated he

should never see again. He had sent the sloop "Griffin" in advance to the West Indies to exchange the cargo brought out from Gottenburg, and he sailed upon the "Key of Kalmar" to the same place. He arrived safely at the Island of St. Christopher, succeeded in disposing of his ship's cargo, and was about to sail for Sweden, when an event occurred by which he lost his life. He went with his captain to visit a Dutch ship named "Het vliegende hert" (The Flying Deer) lying near, and while they were on board, one of those terrible hurricanes, to which the West Indies are subject arose, and when it was over and accounts of the disaster could be gathered, it was found that this particular ship was among the several lost. All of the ships in the roadstead had been driven to sea and all had suffered some damage, but it so happened that Minuit's own, the Key of Kalmar, was not only among those which escaped, but one of those which sustained the least injury.³ That Minuit was a bold, enterprising, patient man, cannot be gainsaid, and it seems cruel that he could not have been permitted to have enjoyed some of the results of his labor and at last to have slept in his native land or by the shore where he founded the first colony of New Sweden.

The "Key of Kalmar" ultimately reached a home port but not without meeting with other misfortunes than the loss of her commander. The Griffin after cruising about for a time in West India waters, returned to the little fort on the Christina. Furs had been bought there in considerable quantity from the Indians and well-laden with them, the sloop sailed for Sweden where she arrived near the close of May, 1639.

There now came about quite a change in the emigration scheme, so far as Sweden was concerned. That is, it became more national in character. The Swedish partners in the little company which sent out the Christiana colony, had from the first been united upon this policy⁴, for they foresaw what importance the colony under national and political relations, would assume. Clas Fleming became the special leader of the work in Sweden, a position for which he was well fitted both by his connection with the company and by reason of the fact that he had become president of the college of commerce, which body henceforth gave close attention to the colony. In looking about for a successor to Minuit, they went again to the great maritime Dutch nation, and chose Captain Cornelis

² The fact of Minuit's death in the manner above described, is one of several first brought out by Odhner, the Swedish writer (relying chiefly on Blommaert's letters). Acrelius asserted that he remained in New Sweden, and "after several years of faithful service, he died at Christiana," and Clay, Ferris, Vincent and many others have naturally enough copied the error, some even asserting circumstantially his burial in the "Old Swedes' Church" ground.

⁴ Odhner's *New Sweden Pennsylvania Magazine of History*, Vol. III. p. 395.

¹ Colonial settlements on the Delaware River (*New York Historical Records*, Vol. xii. B. Fernow) p. 19.

² It is probable, however, that there were a few other Swedes in the garrison.

Van Vliet, who had been for several years however in the Swedish service. Having secured him as the commander of the proposed expedition they took steps towards finding a number of colonists, which was by no means as easy a thing to accomplish as it would be at this day. There being no applicants for free emigration the government ordered that certain of its officers in the provinces of Elfsborg and Värmland should take by force such married soldiers as had deserted or committed other offenses and transport them with their wives and children to New Sweden, at the same time giving promise that they should be brought home within two years. It was ordered however that this should be done "justly and discreetly" that no serious embroilment might ensue. Thus difficult was it to obtain "emigrants for America" two hundred and fifty years ago! Procuring funds for the expedition was another not easy task, particularly as Blommaert and the Dutch partners had become impressed with the fact that the whole enterprise had been managed more in the interests of the Swedish crown than their own, and they were all, Blommaert especially, exasperated by the very natural reproaches of the other members of the Dutch West India company for placing the Swedes in their American possessions. Thus Swedish colonization affairs were complicated, embarrassed and delayed. At last, however, and again with means supplied by Dutchmen—Blommaert and Spiring, the projectors of the second expedition were able to move. Once more the "Key of Kalmar" was equipped for a voyage to America. The vessel was fitted out and supplied with a crew in Holland and sailed for Gottenburg, where the emigrants were to be taken on board. Great difficulty was experienced in procuring them as had been apprehended, but finally a sufficient number were got together, and after the vessel had taken aboard cattle, horses, swine, implements for farming and a sufficient quantity of provisions she left Gottenburg, early in the fall of 1639. But she had proceeded no further than the German Ocean, when she sprang a leak, and had to put into port for repairs. Two other attempts to sail were frustrated by wind and bad seas and the incompetency of the captain, and finally the crew declared that they would not sail under such a commander as Van Vliet. He was accused both of carelessness and dishonesty in victualing the ship, and the charges being substantiated he was removed and the command given to Pouwel Jansen, "probably also a Dutchman," and a new crew was likewise provided, and after suffering several delays the "Key of Kalmar" at last made her departure from the Texel on the 7th of February, 1640. Making an unusually quick voyage she reached Christina on the 17th of April and her immigrants were added

to the little colony there, of which more must be said anon.

At the time preparations were begun for this second expedition, in 1639, Peter Hollender¹ was assigned to the office of Governor at Christina, and he sailed upon the "Key of Kalmar," when she finally was permitted to leave. The pastor, Reorus Torkillus, also undoubtedly came over at this time; certainly not with Minuit, as several writers have stated. He was the first religious teacher in New Sweden; but little is known of his history, and he sleeps in an unknown grave, probably in the burial-ground of the Old Swedes church at Wilmington.² As to the other immigrants by this second voyage of the "Key of Kalmar," there is no exact date; but a document,³ among the Royal Archives of Stockholm gives the names of a number who must have come either by this or the first expedition, and who were therefore the first residents at Christina. These were Anders Svensson Bonde, Per Andersson, Anders Larsson Daalbo, Sven Larsson, Peter Gunnarsson Rambo, Sven Gunnarsson, Lars Svensson Käckin, Mäus Andersson, Joen Throsson, and Märten Gottersson,—ten in all. It is interesting to note a few facts concerning the after life of these first dwellers in Delaware. For instance:—Bonde, the first-mentioned in the list, who was born in Sweden in 1620, settled in 1644 at Tinicum, later removed to what became Philadelphia County, and in 1693 was assessed as the wealthiest inhabitant of that county west of the Schuylkill. He died between 1694 and 1696, leaving a widow (Anneka) who died in 1713, and six sons and four daughters, who perpetuated the family under the anglicized form of the name, Boon or Bond. Daalbo also moved up the river, and was the progenitor of a family which reached well down to the present. Rambo was another of those who came over in the "Key of Kalmar," of whose people the line may be traced. Many of his descendants became prominent in Pennsylvania, New Jersey and Delaware. And, again, Sven Gunnarsson left posterity, who, by the customary Swedish changes in names, came to be known as Svensson (that is Sven, son of Sven) which was soon anglicized into Swanson, the cognomen of a now very extensive family. Of several others named nothing is known beyond the first few years of their residence here, but enough has been said to show that

¹ Hollender was in name and nativity the same, according to Prof. G. B. Keen, Odhner's translator.

² He was born in West Gothland in 1608, and was therefore a young man when he came to New Sweden. He married at Christina, and left a wife and one child, and therefore, as Ferris says, "Perhaps his descendants remain among us under some anglicized name." His death occurred September 7, 1643, and as he became sick February 3d of the same year, his spiritual services at Christina were very brief.

³ Prof. G. B. Keen presents an abstract of this document as a foot-note to his translation of Odhner, "The founding of New Sweden," *Pennsylvania Magazine of History*, Vol. III, p. 402.

the seed of the "Key of Kalmar" pioneers did not perish from the earth.

Reverting to the affairs of the now reinforced colony, it may be remarked that but little is known concerning it during the time between Minuit's departure and Hollender's arrival. The only document of local nature which has been preserved (in the Royal Archives of Sweden) is an account book kept by Henrik Huyghen from the year 1638, which yields no specific information. The colony is shown from other sources to have maintained the same healthful condition in which Hollender found it. They had been so active in the fur trade that they had damaged the Dutch trade, according to Governor Kieft himself, fully thirty thousand florins. The governor also reported that the colonists had become so distressed that they were about to leave, and had made preparations to do so, upon the very day that the Swedish vessel came to their succor,¹ but the wish was very likely father to the thought. The Dutch had been irritated by the presence of the Swedish fort upon their own Zuydt river, and had issued several orders intended to embarrass, or intimidate them and to prevent further usurpations of their domain, among them being a prohibition of sailing on the Zuydt river without license.

Governor Peter Hollender does not appear to have entertained a high opinion of the colony, or to have been able to administer its affairs without friction. The immigrants seem to have been too few and not of the right class. They may have served very well to garrison little Fort Christina and to have supported it properly as a trading station, but they knew little of agriculture, upon which the colony must largely rely to become self-sustaining. The governor says in one of his letters² to Chancellor Oxenstierna, "no more stupid, indifferent people are to be found in all Sweden than those that are now here." They found too, that they had brought an insufficient supply of domestic animals.

Hollender was in favor of the most pacific attitude towards the Dutch up at Fort Nassau, and he had, in fact, been instructed to follow such a policy, but Kling and Huyghen upon whom the direction of affairs had rested during the period between Minuit's departure and the governor's arrival, were in favor of employing force in the event of Dutch obstreperousness, and of ignoring the arts of diplomacy. Hollender made a little voyage up the Delaware in a sloop, on the 21st of April, 1640, and, when opposite Fort Nassau, was fired upon three times, but he ignored the proceeding and calmly continued his way, and on his return he anchored and sent an amicable com-

munication on shore. He received no answer other than several shots fired after the sloop as it passed down the river.

Governor Hollender's mission up the river was the purchase of Indian title and it was probably at this time that the land was bought on the west side of the river as far up as Trenton, for he set up three Swedish pillars for a boundary about eight or nine Swedish (thirty-two to thirty-six English) miles above Christiana, and subsequently erected one below the fort. There is no account of further occurrences in the colony at this time and indeed very little pertaining to any portion of Hollender's period of government which expired early in 1643. In May, 1640 the "Key of Kalmar" started on her homeward voyage and arrived at Gottenburg a few weeks latter. Mans Kling, the lieutenant who had had command of Fort Christina accompanied her under orders to recruit immigrants in certain regions of Sweden for strengthening the colony.

In the mean time preparations were making for planting an independent Dutch colony in New Sweden, under the patronage of the Swedish West India Company. This came about through certain jealousies and ill feeling in Holland towards the Dutch West India Company. The Swedish Government had become anxious to have its colonization schemes carried on independently of the very Dutch element which it had been glad enough to interest at first, and through whose aid the first and second expeditions were made successful. Steps had already been taken to buy out the Holland partners "since they are a hindrance to us," although that result was not actually reached until February, 1641, when the sum of eighteen thousand gulden was paid for the purpose out of the public funds. The Swedes however had no objection to the settlement of Dutch people in New Sweden provided they were subject to Swedish rule. Thus the way was made easy for a private company formed of certain disaffected persons in the Dutch West India Company, living principally in the Province of Utrecht to form an independent settlement. One Herr van der Horst was the first to enter into negotiation with the Swedish Government, but the grant was subsequently transferred to Henrik Hoogkamer, or as it is more commonly spelled Henry Hockhammer and his associates, they as the charter states "having the intention of establishing a colony in New Sweden." This charter called "*Octroij und Privilegium*" in imitation of the concessions common with the Dutch West India Company called "patroonships," provided that the grantees might take up lands on the north (or west) side of the Delaware River, at least four or five German miles from Christiana, to hold the same under the protection of the crown of Sweden

¹ *Hazard's Annals*, pp. 56, 56, 57.

² *Pennsylvania Magazine of History*, Vol. III, p. 403. (Keen's Translation of Olmsted.)

as hereditary property and exercise over the same high and low jurisdiction and bring it into actual cultivation in ten years. They were to recognize the suzerainty of the crown of Sweden and pay as tribute three imperial gulden for every family settled. In religion they were to prefer the Augsburg Confession of Faith but besides were to be allowed the privilege of the "so called Reformed Religion," but in such a manner as to avoid all dispute. The patroons of the colony were bound to support "as many ministers and school-masters as the number of the inhabitants shall seem to require, choosing so far as possible for these offices, men who would be willing and capable in the conversion of the savages. They were to be allowed to engage in every industry, trade and commerce with friendly powers but were limited to the use of vessels built only in Sweden and were to use Gottenburg as the place for bonding all goods sent to Europe. They were exempted from all taxes for a period of ten years.

A passport for the ship "Fredenburg" was granted simultaneously with this charter and also a commission for Jost van Bogardt as Swedish agent in New Sweden, probably to live in the Dutch colony to be founded under the charter—at least he is afterwards found in that position—and as commander, with a salary of five hundred florins per annum. The "Fredenburg" duly sailed under command of Captain Jacob Powelson but with Bogardt as commander of the expedition, and arrived on the Delaware November 2d, 1640, the immigrants being settled, according to the best information now obtainable, about three or four (Swedish) miles below Christiana,¹ which would place it in or near what is now St. George's Hundred of New Castle County.

This enterprise must not be confounded with the third Swedish expedition. It will be remembered that Lieutenant Måns Kling had in May, 1640, accompanied the "Key of Kalmar" to Sweden, with authority to collect immigrants for strengthening the colony. He prosecuted this work zealously, having as a co-laborer one Lieutenant-Colonel Johan Printz, the same who subsequently became governor of New Sweden, and of whom we shall therefore have more to say later. They were particularly ordered to recruit in the mining districts, also from among the "roaming Finns," who "were wont to live free of charge in the houses of the inhabitants of the Swedish forests," and among the "forest-destroying Finns,"

¹ In regard to this matter however there have been some doubts, one or two writers even claiming that the colony was located on Elk River, Maryland. It is certain (in the light of subsequent events) that the locality was upon the Delaware and *probable* that it was below Christiana, but there are not wanting those who affirm that the place selected was upon or near the site of New Castle, and that it was the presence of settlers there already which gave that locality the advantage of Fort Cadmir in after years.

many of whom had been imprisoned by the provincial governors. Thus they secured many individuals of the lawless classes, though the body of immigrants was not so constituted as a whole. Out of thirty-two persons secured for the expedition through the personal efforts of Kling, four were criminals, "but the remainder went either as servants in the employ of the company, or to better their condition." The vessels of the expedition this time were the "Key of Kalmar" and the "Charitas," the latter made ready at Stockholm. They sailed from Sweden sometime in 1641, and arrived duly on the Delaware, but the particulars of the voyage are wanting. A paper among the archives of the Pennsylvania Historical Society gives the names of some forty odd of the immigrants (many of them with families) who came over at this time.² We are told that Lieutenant Kling brought with him his wife, child and a maid. There appears to have been also a priest—Herr Christoffer—(no surname is given in the original) with this expedition, but he could not have remained long in the country, for no further mention of him is found. It is stated that he came out for experience, stipulating for nothing but maintenance, although he received a present of one hundred daler copper money from the *Riksamiral* (or admiral) upon whose recommendation he embarked. Gustaf Strahl, a young nobleman, sailed also upon the recommendation of the admiral. Michael Jansson, the burgomaster's son, from Gefle, was another adventurer. The remainder of the arrivals appear to have been actual settlers, and the brief notes which we are able to give concerning them afford in many cases interesting suggestions in regard to the conditions which governed the colonization scheme, the character of the persons themselves, and the conduct of affairs during the early years of New Sweden's history:

Måns Svensson Loom, a tailor, came out to engage in agricultural pursuits; was paid at the Staal five riksdaler, but drew no wages. He was accompanied by his wife, two daughters, and a little son, and was still living in New Sweden as a freeman in 1648.

Olof Persson Stille, of Penningsby Manor, Iduna Parish, Roslagen, a millwright, came to engage in agriculture; paid at the start fifty daler, drawing no additional wages but to be paid for whatever work he does—accompanied by his wife and two children. His place of residence in 1645 is indicated on Lindström's map. In 1658 and subsequently he was one of the magistrates on the Delaware. He was still living in 1684, but died prior to 1693, leaving a son, John Stille, born in 1646, the ancestor of a well-known Philadelphia family.

Mats Hansson, or Jansson, to serve as gunner in the fort, and at the same time to engage in agriculture or the cultivation of tobacco—accompanied by his wife. In 1644 a gunner at Fort Christina, in 1648 a freeman.

Anders Hansson, or Jansson, the gunner's brother, engaged by Kling as a servant of the company to cultivate tobacco, to receive as yearly wages twenty riksdaler and a coat; a freeman in 1648.

Axel Stille, same; naturalized in Maryland in 1661, but probably returned to the Delaware, for the name appears among those of persons living in Philadelphia County in 1693.

Olof Palmson, same, with twenty daler at the start.

² A copy of a list from the Royal Archives in Sweden. The names from this are given, together with brief notes, by Prof. G. B. Keon, in the *Pennsylvania Magazine of History*, Vol. III., pp. 462-463-464.

Per Jönsson, same.

Jan Ericsson, same; in 1648 a soldier.

Jacob Spruit, same.

Pål Jönsson, or Jönsson, same, in 1648 a soldier.

Evert Hindricsson, a Finn, same; in 1648 still a laborer. Banished from the island in 1633, he settled afterwards at Crane Hook (below the Christina) and became captain of the company there. This individual was a participant in the insurrection of the "Long Finn," for which offence he was fined three hundred guilders.

Lars Markuseon, laborer.

Hindrich Mattson, a lad, to receive ten *riksdaler* as yearly wages, with ten *daler* copper money at the start; in 1648 a soldier.

Johan Andersson, same.

Olof Ericsson, same; in 1644 a laborer, appointed to make hay for the cattle, and to accompany the Governor on the little yacht; still a laborer in 1648.

Pål Smaal, a lad; served as a soldier and set out from Christina for Sweden on the "Fama," June 29, 1644.

Carl Jansson, to accompany the expedition for punishment. He was a book-keeper in Kiezhalm in Finland, and had committed some misdemeanor for which he was transported. His behaviour in New Sweden was excellent, and Governor Printz who, in 1643, placed him in charge of the storehouse, and appointed him to audit the commissary's monthly account, with a monthly salary of ten *riksdaler*, in February, 1647, urged upon the West India Company that he be permitted to return to his native country.

Mats Hansson was a servant, drawing no wages, "only to be supplied with needful apparel, because he had committed an offence and must accompany the expedition for punishment." In 1648 a freeman.

Peter Larsson Kock, born in 1611, was to serve as punishment for necessary food and clothes; in 1648 a freeman. He held several offices under the government of the colony, and died at Kipka, in Philadelphia County, by March, 1688-89. He had at least six sons and as many daughters, and left numerous descendants.

Eskil Larsson, a deserter from the army, sent by the war office as punishment; in 1648 a laborer.

Clement Jönsson, a courier and one of the "forest destroying Finns," of the parish of Lund, in Vermland, enlisted for punishment in the soldiery and permitted by a local governor to emigrate. He became a freeman by 1648.

Eskil Larsson same.

Bartel Eskilsson, son of the former, same. He became a freeman in 1648.

Hans Mattsson, a trooper, same. He became a freeman in 1648.

Hindrich Mattsson, a Finn, same.

Lars Björsson, a laborer.

Livert, or Evert Livertson came as a freeman on the "Charitas" and was still in the country in 1648.

Mats Jönsson, a Finn, sent out on the "Key of Kalmar" and subsequently became a freeman.

Mats Olofsson, came on the "Key of Kalmar" as a sailor; in 1648, a wood-sawyer.

Glass Claesson, a Dutch carpenter, who came on the "Charitas;" in 1644, residing on the island at Christina (Cherry Island).

Laurens Andriesson Cuyper, a Dutchman, who came on the "Charitas;" in 1644, making tobacco pipes, etc., at Christina.

Lucas Persson, who came as a sailor on the "Charitas;" in 1648, engaged, like Cuyper; in 1648, a sailor on the sloop in New Sweden.

Lars Thompson, from Vekling, came as a sailor on the sloop "Charitas;" in 1648, a sailor on the sloop.

Anders Christianson Dreyer, in 1644, a miller at Christina.

Knut Martensson Vasa, came as a sailor; in 1644, cultivating tobacco for the company at Christina; in 1648, a freeman.

Olof Thomson, in 1644, engaged like Vasa; in 1648, still a laborer.

Lars Anderson Ulf, in 1644, engaged like Vasa, in 1648, a cook upon the sloop.

Gottfried Hermansson, who came as a steward on the "Charitas," in 1644, and in 1648, an assistant of the commissary.

During the year 1642 the colonization schemes of Sweden were broadened in scope, and perfected in organization; preparations were made for the fourth and greatest expedition, and a more elaborate and effective system of government for New Sweden was devised and brought into operation. The Dutchman Spiring still remained as one of the chief advisers and foremost promoters of the enterprise, and it was largely through his influence that a new company was formed of those interested, called the West India or American company, and also "*Compagnie de Nova Suecia*," with a capital of thirty-six thousand *riksdaler*, afterwards consid-

erably increased. One-half of this capital was subscribed by the old Southern Ship Company, one-sixth, or six thousand *riksdaler*, by the Crown, one-twelfth each by the great Chancellor, "the heirs of the great chancellor of justice," and Spiring, one-twenty fourth each by Claes Fleming and the treasurer and—when the total was enlarged—the sum of two thousand *riksdaler* by Henrick Huyghen, the commissary at Christina and twelve thousand *riksdaler* through the Southern Ship Company. Thus the new organization had at its disposal at least fifty thousand *riksdaler*, besides which it received a grant of the tobacco monopoly formerly bestowed upon the Southern Ship Company.

Chancellor Oxenstierna determined now, also, to appoint a governor and other officials for New Sweden and to pay their salaries out of the Crown funds. Lieutenant Colonel Johan Printz, the same whom we have seen engaged in gathering recruits for emigration, was commissioned governor on the 15th of August, 1642, and on the 30th a "budget for the Government of New Sweden" was adopted, mentioning a governor with a salary of eight hundred *riksdaler*, a lieutenant, a sergeant, a corporal, a gunner, a trumpeter and a drummer, with twenty-four private soldiers. In the civil line, provision was also made for a clerk, a barber (surgeon), a provost and a hangman! The expenses of this government, about three quarters of which were to be collected from the excises laid on tobacco, it was found, would foot up the respectable sum of three thousand and twenty *riksdaler* per year, the amounts besides that to be paid the governor, being as follows: One lieutenant governor, sixteen rix dollars per month; one sergeant-major, ten rix dollars; one corporal, six rix dollars; one gunner, eight rix dollars; one trumpeter, six rix dollars; one drummer, five rix dollars; twenty-four soldiers, at four rix dollars; one paymaster, ten rix dollars; one secretary, eight rix dollars; one barber, ten rix dollars; one provost, six rix dollars, and one ——— four rix dollars; making one hundred and eighty-five rix dollars per month. Special agents for the company were appointed in Gottenburg and Amsterdam, and Clas Fleming was placed in general charge of the whole home business of the company.

The most elaborate directions were given to the governor, contained in part in his commission, but more fully in "Instructions," issued for his guidance. His commission dated, Stockholm, August 15, 1642, to go into effect January 1, 1643, was as follows:

"Our faithful subjects having commenced visiting the West Indies, and having purchased in form, and already occupied a considerable part of that country, which they have named New Sweden, in consequence—as their laudable project, the navigation which they have undertaken, and the cultivation which they are disposed to make, cannot but

Increase and facilitate commerce—to give them more vigor and extent, not only have we approved their design, and taken the country and its inhabitants under our royal protection, but again to favor and strengthen the work which they have commenced, we have given to the country and inhabitants, our subjects a Governor, and have named as we do here, by virtue of his letter patent, our very faithful subject, the above Lieutenant of Cavalry, John Printz for Governor of New Sweden. He engages to administer and govern said country and its inhabitants against all violence and foreign attachment, and to preserve above all, that country in safe and faithful hands. He must preserve amity, good neighborhood and correspondence with foreigners, with those who depend on his government and the natives of the country; render justice without distinction, so that there shall be injury to no one. If any person behave himself grossly, he must punish him in a convenient manner; and as regards the cultivation of the country, he must in a liberal manner regulate and continue it, so that the inhabitants may derive from it their honest support, and even that commerce may receive from it a sensible increase. As to himself, he will conduct his government, as to be willing and able faithfully to answer for it before God, before us, and every brave Swede, regulating himself by the instructions given to him."

The "Instructions," containing twenty-eight articles, after reciting the advantages anticipated to follow the measures already taken and those for which preparation was being made, set forth a multiplicity of detailed directions concerning the duties of the Governor. Upon his arrival in New Sweden he was to see that—

"The frontiers of the country extend from the borders of the sea to Cape Henlopen, in returning southwest towards Godyn's Bay, and thence towards the Great River, as far as Minquas Kill, where is constructed Fort Christina, and from thence again towards South River, and the whole to a place which the savages called Sankiskan,¹ which is at the same time the place where are the limits of New Sweden. This district or extent of country may be in length about thirty German miles; as to width in the interior, it has been stipulated in the contracts that the subjects of her majesty and company may take as much of the country as they wish."

With the Dutch he was to cultivate a friendly intercourse, but positively to deny their pretended right to any part of the land on the west side of the river, purchased by the Swedes from the Indians and he was authorized, in the failure of all friendly negotiation, to repel force by force, but says the document:

"Those Hollanders who have emigrated to New Sweden and settled there under the protection of her Royal Majesty and the Swedish Crown, over whom Jost van den Boyandth² has command, the Governor shall treat according to the contents of the charter and privileges conferred by her Royal Majesty, of the principles whereof the Governor has been advised; but in other respects he shall show them all good will and kindness, yet so that he shall hold them also to the same, that they also, upon their side, comply with the requisitions of their charter, which they have received. And, inasmuch as notice has already been given them that they have settled too near to Fort Christina, and as houses are said to be built at the distance of almost three miles from that place, they should leave that place and betake themselves to a somewhat greater distance from that fort."

The English, too, were somewhat to be feared, for they had made a settlement on the east side of the Delaware Bay,³ and one article of the "In-

structions" was devoted to the proposed treatment of those people by Printz:

"Recently and in the year last past, viz., 1641, several English families, probably amounting to sixty persons in all, have settled and begun to cultivate the land elsewhere, namely upon the east side of the above-mentioned South River, on a little stream named 'Ferken's Kill,'⁴ so have also the above-named subjects of Her Majesty and participants in this company, purchased for themselves, of the wild inhabitants of the country, the whole of this eastern side of the river, from the mouth of the aforesaid great river, at Cape May, up to a stream named Naraticon's Kill,⁵ which extends about twelve German miles, including also the said Ferken's Kill, with the intention of drawing to themselves the English aforesaid. This purchase the Governor shall always, with all his power, keep intact, and thus bring these families under the jurisdiction and government of her Royal Majesty and of the Swedish crown, especially as we are informed that they themselves are indisposed thereto, and should they be induced, as a free people, voluntarily to submit themselves to a government which can maintain and protect them, it is believed that they might shortly amount to some hundred strong. But, however that may be, the Governor is to seek to bring these English under the government of the Swedish crown as partners in this undertaking, and they might also, with good reason, be driven out and away from said place; therefore her most Royal Majesty will, most graciously, leave it to the discretion of Governor Printz to consider and act in the premises as can be done with propriety and success."

In regard to treatment to the Indians he was counseled to "humanity and mildness," and to see that "neither violence nor injustice was done them," but he "must labor to instruct them in the Christian religion and the Divine Service, and civilize them." To disengage them from the Dutch and English, he was directed to sell at lower prices than they.

The Governor was by every means in his power to encourage the fur trade, and agriculture, to promote manufactures and to search for metals and minerals; to ascertain whether whale fisheries could not be made profitable, and to investigate the condition of the country with reference to the propagation of silk worms. He had also to dispense justice. With all these divers and diverse duties, and many more, it will readily be seen that the Governor's office was one by no means easy to fill. Printz was, besides, to build, if necessary, a fort which should "shut up the South river," or at least command it, but if he found Fort Christina adequate he was to turn his attention more particularly to agriculture, especially the cultivation of tobacco and to raise cattle and sheep, the breeds of which he was to improve by obtaining the best animals from the English and Dutch. He was allowed to choose his residence where most convenient, if a location at Fort Christina did not meet his approval.⁶

The expedition of which Printz was made the commander consisted of the ships "Fama" ("Fame" or "Renown") and "Svanen" ("Stork"). They left Stockholm August 16, 1642, and Gottenburg November 1st, arriving at Christina February 15, 1643, the time from the first named place just five months, or one hundred and fifty days, though the voyage proper from

¹ Trenton Falls, ninety miles above the mouth of Delaware Bay.

² This is the spelling of Acrelius. The proper rendering of the name is Jost de van Bogart.

³ The location of this settlement was on Salem Creek, N. J., near the present town of the same name. Whether these English were New England or Maryland adventurers or the pioneers of Sir Edmund Plowden is disputed, but they gave no trouble to the Swedes, who were to have all they could attend to in resisting the Dutch claims. The probability is that they were from Connecticut. They were led by one Lambertson. The next year (1642) they had the audacity to settle at the mouth of the Schuylkill. "This was too much for the peppery Dutch Governor Kieft and even his less excitable council. Jans Jansen Hendam, commissary at Fort Maman, was directed to expel the intruders, which he did without any ceremony, seizing their goods and burning their trading house. After this the Dutch fell upon the Salem (Ferken's Kill) settlement also and broke that up."

⁴ Now Salem Creek.

⁵ Raccoon Creek.

⁶ Acrelius, "History of New Sweden," (Pennsylvania Historical Society publication), pp. 30-40.

Gottenburg occupied but three months and a half. The Rev. John Campanius, who accompanied the expedition, has given an account of it in the work edited by his grandson. They took the usual circuitous southern course, sailing by the coasts of Portugal and Barbary, and the Canary Islands, stopping during the Christmas holidays at Antigua, where they were entertained by the Governor and resuming their voyage by way of St. Christopher, St. Martin's and other West India Islands, and thence eastward along the American coast. They were inside the Delaware Bay, off the Hoorunkill on the 26th of January, and on the following day encountered a severe storm, accompanied by a blinding snow, in which the "Fame" was roughly handled, losing three anchors, a main mast, and spritsail, suffering other damages, and finally running aground, and being run off with great difficulty.¹ Printz and his fellow voyagers disembarked at Christina, but he did not long remain there, and it is probable that but few of his men did. The Governor made his home, and built a fort—at Tinicum, above Chester—higher up the river, as will be shown hereafter, and it is probable that he took with him most of the people he had brought over.

Of these colonists who came to the Delaware with Printz in the fourth Swedish expedition there exists no complete list, but some of their names have been preserved.² The most prominent character of all, not even excepting the Governor, was the clergyman John Campanius, made famous by the journals which he kept, pertaining to New Sweden, from which his grandson wrote the celebrated "Description of the Province of New Sweden," a highly interesting, but in some respects untrustworthy work, and notable, too, as the finest translator of Luther's catechism into the Indian language. His name often appears as John Campanius Holm, the last word being added to designate Stockholm, the place of his nativity.³

The Governor brought with him his wife and daughter Armgott, and Lieutenant Måns Kling returned to the settlement.

Among those who were destined to become prominent among this last party, were Joran Kyn

Snöhvít and Elias Gyllengren. The former, (a soldier, in 1644) became the chief colonist at Upland⁴ and the latter, also a soldier, became celebrated for brave exploits. In May, 1654, he held the post of lieutenant and took part in the capture of Fort Casimir, by Governor Rising. "He forced his way into the fort by the order of Commander Sven Schute, took possession of the guns, and striking down the Dutch flag, raised the Swedish in its stead."⁵

Nearly all of those whose names have been preserved, came out as soldiers. Those not yet mentioned, were:

Anders Anderson Homan, born in Sweden, in December, 1620, was a soldier in the Governor's guard, at Tinicum, in 1644 and 1648. He lived at Carpoons Hook, in 1677 and at Trumpeters Creek in 1697. He left several children.

Hans Luneburger, a soldier in the Governor's guard at Tinicum, in 1644 and still a soldier in 1648.

Lars Anderson, same.

Nils Anderson, same.

Gregorius Van Dyck, sheriff, residing, in 1644, at Elfsborg, and holding his office until 1661.

Michel Nilsson, smith in 1644, at Upland.

Sven Anderson, drummer in 1644, at Elfsborg.

Jacob Svensson, in 1644, a soldier at Elfsborg, in 1648, a gunner at Fort Christina, in 1658, ensign.

Nicklaus Bock, or Borek, in 1644 and 1648, a soldier at Elfsborg.

Johan Gustafsson, in 1644 and 1648, a soldier at Elfsborg.

Peter Meyer, same.

Isack van Eysen, same.

Constantino Gröndesegh, same.

Peter Jochimsen, same.

Joan Nilsson Skuesklere, same.

Johan Olsson, provost at Christina, in 1644, in 1648 a soldier.

Lars Jacobson, a soldier at Christina, in 1644 and 1648.

Thomas Joransson Timberman, carpenter in 1644, on the island at Christina.

Marten Martensson Glasere, in 1644, cultivating tobacco for the company on the plantation, at Christina; in 1648 a freeman.

With the arrival of the fourth expedition and the settlement of its people, the Swedish colonies in America may be considered as fairly established, and the schemes first advocated by Gustavus Adolphus, were at last sufficiently advanced to afford a tangible promise of the rich fruition which that monarch, together with William Usselinx, Minit and others, had fondly hoped. Printz wrote⁶ "It is a remarkably fine land, with all excellent qualities a man can possibly desire on earth," and yet the outcome was far from being what this auspicious beginning would augur. The growth of the settlement, as a matter of fact, was feeble and tardy, a condition of things which is to be accounted for principally by the fact that the Swedish government did not appreciate the importance of the colonization project and was remiss in extending financial and other aid, when the struggling colony stood in sore need.

During the first year of Governor Printz's administration many of the settlers died, which Printz stated in his report,⁷ was due to hard work

¹ Campanius, p. 71.

² G. B. Keen has extracted some of the names from Swedish papers. (*The Founding of New Sweden, note*), *Pennsylvania Magazine of History*, Vol. III, p. 409.

³ The Rev. John Campanius was born at Stockholm, on the 15th of August, 1601. His father was Jonas Peter, clerk of the congregation of St. Clara. He went through his studies with great reputation, and was for a long time preceptor in the Orphan's House, at Stockholm. On the 3d of February, 1642, he was called by the government to accompany Governor Printz to America, where he remained six years pastor of the congregation there. On his return home, he was made first preacher of the Admiralty, and afterwards was pastor of Frost Hultz and Herenwys Upland, where he translated Luther's catechism, with other things, into the American Virginia (Indian) language, a work which he had begun in America, and which he here perfected. He died on the 17th of September, 1683, at the age of eighty-two years, and was buried in the church of Frost Hultz, where a handsome monument was erected to his memory.—"Campanius," (condensed by Vincent), p. 183.

⁴ See *Pennsylvania Magazine of History*, Vol. II., p. 325.

⁵ Lindstrom's account.

⁶ Letters to Chancellor Oxenstierna, April 14, 1643.

⁷ The Governor's Report. *Pennsylvania Magazine of History*, Vol. VII., p. 272.

and the scarcity of proper food. Immigrants continued to arrive, and they appear to have been constituted of the same classes as in the beginning. Campanius says:

"The generality of the people who went or were sent over from Sweden to America, were of two kinds. The principal of them consisted of the company's servants, who were employed by them in various capacities; the others were those who went over to that country to better their fortunes; they enjoyed several privileges; they were at liberty to build and settle themselves where they thought proper, and to return home when they pleased. By way of distinction, they were called *freemen*. There was a third class, consisting of vagabonds and malefactors; these were to remain in slavery, and were employed in digging the earth, throwing up trenches, and erecting walls and other fortifications. The others had no intercourse with them, but a particular spot was appointed for them to reside upon.

"In the beginning of Governor Printz's administration, there came a great number of these criminals, who were sent over from Sweden. When the European inhabitants perceived it, they would not suffer them to set their foot on shore, but they were all obliged to return, so that a great many of them perished on the voyage. It was after this forbidden, under a penalty, to send any more criminals to America, lest Almighty God should let his vengeance fall on the ships, and goods, and the virtuous people that were on board; it was said that there was no scarcity of good and honest people to settle that country; but such a great number of them had gone thither (as engineer Lindstrom says, that on his departure from hence, more than a hundred families of good and honest men, with their wives and children, were obliged to remain behind, as the ship had taken as many on board as she could hold, and yet these honest people had sold all their property, and converted it into money, not imagining that they could be so disappointed,"¹)

This statement of Campanius (like many others of his) is not to be relied upon as a whole. Printz's report (1647) shows that criminals were received up to that time, and yet, they must have formed but a small portion of the community, for the whole number of colonists, in 1647, was only one hundred and eighty-three souls (and many of them have already been shown to have been "freemen," or otherwise indicated as people of respectable character). The report alluded to says, that of the total number, "twenty-eight of the freemen had made settlements," and that a part of them were provided "with oxen and cows."²

Printz's ideas of tact and diplomacy resembled an elephant dancing. He was a bluff, coarse soldier, well described by the shrewd, observant, caustic Pietersen De Vries, as "Captain Printz, who weighed four hundred pounds, and took three drinks at every meal." He lacked not in energy or decision of character. His alertness and aggressiveness made him a useful man in his time and place, and probably his administration was more valuable, to the colony at large, than would have been that of a really abler man, coupled with higher qualities than his greater weaknesses.

The Governor had not been long in New Sweden—and it will be remembered he landed at Christina, February 15th, 1643—before he selected a home and the seat of government. To do this he went beyond the settlement already established, and beyond the present boundaries of the State

of Delaware, to the island of Tinicum (now also the township of Tinicum, Delaware County, Pennsylvania) about two miles from the eastern limits of the city of Chester, then called by the Indians Tenacong, Tenicko or Tutteenung, "the convenient situation of which suggested its selection."³

Here he built a fort or block-house, of which Andreas Hudde afterwards said,—"it is a pretty strong fort, constructed by laying very heavy hemlock (gñenen) logs, the one on the other;"⁴ a mansion for his residence—"very handsome"—and a church, which preacher Campanius consecrated to Divine use on the 4th of September, 1646.⁵ Around the residence, which was called "Printz Hall,"⁶ orchards and gardens were laid out, and the ground was otherwise beautified. The fort, which was named "New Gottenburg" ("Nya Gothborg"), had a "considerable armament."⁷ "On this island," says Campanius, "the principal inhabitants had their dwellings and plantations," and it is evident that it became the locality of chief importance in, and practically, the capital of New Sweden. Another fort was erected the same year (1643) on the east side of the Delaware, at Varkin's Kill, afterwards called by the English Salem Creek or Mill Creek. This was right alongside of the settlement of the New Haven people, on the opposite or south bank of the creek, at its confluence with the Delaware. It was named "Elfsborg" or "Wootwessung," and later was called Elsinborg or Elsingborough.⁸ It had eight iron and brass guns, and one "Potshoof," and according to Hudde, was usually garrisoned by twelve men, commanded by a lieutenant. This fort which was ready for occupancy in October, 1643, commanded the channel of the Delaware. "Its principal object," says Acrelius, "was to search the Holland ships which came before it, and (which stuck very hard in their maw) to make them lower their flag." Proud and sturdy David Pietersen De Vries, the founder of the first settlement on the Delaware (the unfortunate colony of Zwaanendael at the Hoorakill), when he attempted to pass up the river in October, 1643, was compelled to halt, duck his flag and give an account of himself, and must have experienced a grim sense of the change which a few years had wrought. Hudde says: "By means of this fort . . . Printz closed the entrance of the river so that all vessels, either those arrived from hence (New Amsterdam) or other places, are compelled to cast their anchor, not excepting those of the Noble Company (the Dutch West India Company), as is

³ Acrelius, page 42.

⁴ Campanius.

⁵ Ferris' original settlements on the Delaware, page 62.

⁶ This hall stood more than one hundred and sixty years, and was burned down by accident since the commencement of the present century.—FERRIS.

⁷ Ferris, page 67.

¹ "Campanius" (pp. 73, 75.) says, "This was related to me amongst other things, by an old trustworthy man, named Nils Matson Utter, who, after his return home, served his majesty's life guards."

² Report of Governor Printz for 1647. Translated from the Swedish by Professor G. B. Keen.—*Pennsylvania Magazine of History*, Vol. VII., page 272.

evident from several yachts coming from the Mannhattans, which, wishing to pursue their voyage towards the place of their destination without stopping often, were injured by cannon balls, and were in imminent danger of losing some of their crew; so that they must proceed with small craft, upwards of six miles, towards the aforesaid Printz, to obtain *his consent*, that they might sail higher up the river, no matter whether they are Englishmen or Netherlanders, without paying any regard to their commissions."¹

Printz was as arbitrary and violent towards the English as to the Dutch. The latter people, it will be remembered, had expelled the New Haven settlers from Varkin's Kill, and they now returned only to experience the peculiar tender mercies of the Swedish Governor. They were led by the same Lamberton who had before been their most prominent man, and it was doubtless his purpose to replant the settlement. While Lamberton's sloop, the "Cock," was lying at anchor somewhere in the river between Fort Elfsborg and Christina, Printz induced him and two of his men to come to Fort Gottenburg where he placed them in irons, and threw them into prison. He put the irons upon Lamberton with his own hands, and he and his wife made the inferiors all drunk, and by promises of rich reward and other means, endeavored to induce them to swear that Lamberton was inciting an Indian insurrection.² They remained true, however, and Printz had after a few days to release his prisoners without accomplishing his purpose. Lamberton, before regaining his liberty, had to pay a "weight of beaver," and receive a vigorous cursing from the burly and irascible governor.³ Printz expelled all of the English who would not take the oath of allegiance to the crown of Sweden, and the proceeding led to a long series of negotiations between the New England authorities, and the Swedish and Dutch governors.

Printz was swollen with the "insolence of office," and in 1645, when the Dutch placed Andreas Hudde in the position of commissary at Fort Nassau, he found that he had a more vigorous official to deal with than the deposed Jan Jansen Van Ilpendam. Hudde was quick to protest against everything that the Swedes did which might be construed as adverse to Dutch interests, and Printz either paid no attention whatever, to such protests, or upon their reception committed acts even more outrageous than those which had called them forth. When Hudde, upon Kieft's

orders, purchased from the Indians some lands on the west shore of the river (where afterwards was built Philadelphia), and set up there the arms of Holland, Printz sent Commissary Henrik Huyghens, of Fort Christina, to throw the insignia down. Thereupon Hudde arrested Huyghens, threw him into the guard-house, and sent word to Printz of what he had done. Some correspondence ensuing, the irate Governor contemptuously tossed aside Hudde's communication, regarding the rights of his company, and seizing a musket threatened to shoot the messenger. Printz was certainly irritatingly insolent towards those whom he regarded as intruders upon Swedish soil. Hudde says that when visiting him at his own house, at table and in the presence of his own wife, in reply to his remark that the Dutch were the first settlers on the Delaware, Printz said that "the Devil was the oldest possessor of hell, but that he sometimes admitted a younger one," which was certainly not diplomatic language, or calculated to create or cement friendship.

The Governor had completely closed the Schuylkill⁴ to the Dutch by the erection of a fortification at its mouth called "Manayunk," one at Kingessing and another at Passayunk, called "Korsholm," and had besides, put a fort almost contiguous to the Dutch Fort Beversede, between it and the water, rendering it entirely useless. About midway between Christina and New Gottenburg, a colony was founded comprising houses and a fort,⁵ called Upland. North of this, also, several scattered settlements were gradually established. Printz built the first water-mill on South River, at a place called Karakung, otherwise Water-Mill Stream (Amesland or Carkoen's Hook), on what is now Cobb's Creek, near the bridge on the Darby road, at the old Blue Bell tavern, near Philadelphia. This was put up instead of the old wind-mill, which, Printz says, never would work and was "good for nothing." This mill ground both meal and flour, and found constant work.

Printz's zeal was rewarded by his government with the grant of New Gottenburg, as a perpetual possession for himself and his heirs forever. It passed to his daughter, married to Johan Papegoja, and often afterwards is spoken of as her property.

Through their Governor's energetic action the Swedes effectually became masters of the river and the greater part of the neighboring territory. He was prudent enough to keep on a good footing with the Indians and cut the Dutch off from their trade. The credit enjoyed with the natives by the Swedes was, indeed, so great that when, in

¹ Hudde's report (November, 1645), "Colonial Settlements on the Delaware" (New York Historical Records, Vol. XII., B. Fernow), page 29.

² Substance of depositions made at New Haven.

³ The court that tried Lamberton assembled on July 10, 1643, at Fort Christina, and was composed of the following persons: "Captain Christian Boy, Captain Mons. Klingh, Hendrick Huyghen, Commissary Jan Jansen, Commissary Schipper Wessel Evertsen, Schipper Sander Levertsen, Oloff Stille, Evert Sievers, Carl Jansen, David Davidson."

⁴ This stream was named by the Dutch *Sculk kill* or hidden creek, from the fact that its mouth was so concealed that they at first sailed by without noticing it.

⁵ These forts were commonly mere block-houses, intended especially for protection against the Indians.

the spring of 1644, some of the Minqua nation were murdered by the savages, sachems presented themselves before Printz to offer compensation and sue for peace. He closed the Schuylkill to the Dutchmen, adopted a policy of non-intercourse and sold the Indians arms and ammunition, thus securing not only their good will but insuring larger returns of furs. He also persecuted or expelled every Dutchman in New Sweden who would not take the oath of allegiance to his sovereign.

The Swedish colonists, however, had great difficulties to contend with, not being able to produce their daily bread, with which they were provided partly at the cost of the company. The novelty of the climate and the various privations suffered caused the death of many persons (during 1643 not less than twenty-five), according to the Dutch account reducing the number of male inhabitants in 1645 to eighty or ninety. The situation of the survivors, however, rapidly improved; tobacco was diligently cultivated, and the raising of corn and breeding of cattle were duly promoted by the Governor.

In the spring of 1644 the ship "Fama" arrived from Sweden, having been equipped at the expense of the Crown and setting sail the previous year, bringing, it is presumed, both emigrants¹ and merchandise, although we have not found any definite information concerning this, the fifth Swedish expedition to the Delaware. The vessel was despatched back to Sweden, June 20, 1644, carrying a cargo of two thousand one hundred and thirty-six beaver skins and twenty thousand four hundred and sixty-seven pounds of tobacco for the company, besides seven thousand two hundred pounds sent over by the Governor to be sold for his own account.

The ascension of Queen Christina upon the throne of Sweden, in 1644, and changes in the system of government largely contributed to the decay and final ruin of New Sweden on the Delaware. From June, 1644, until October, 1646, communication was suspended with the mother country. Governor Printz was, however, zealously endeavoring to promote his enterprise. We have already seen how, by the action of Nya Korsholm, he secured the mouth of the Schuylkill; he also considered it necessary to guard the route of traffic with the Minquas still farther to the interior. To this intent he caused to be built some distance inland a strong block-house, "capable of defence against the savages by four or five men, well supplied with powder and shot." The place received

the name of "Wasa," and several "freemen" settled there. A quarter of a mile beyond, in the same "path of the Minquas," was constructed a similar house where other peasants also settled. This spot was called "Mölnadal,"² because, says Printz, "I had a water-mill erected there, running without intermission, to the great advantage of the country." It was, as heretofore stated, the first within the limits of Pennsylvania. Further improvements were also made at the old places, Christina, Elfsborg and Korsholm. On the 25th of November, 1645, Fort New Gottenburg was set fire to by a gunner and it was destroyed in an hour. The Governor and people suffered great loss; the company's goods consumed by the fire were valued at four thousand riksdaler. Notwithstanding this great calamity to the infant colony, on the 4th of September, 1646, Campanius consecrated the first Swedish church on the spot, and Printz afterwards built his dwelling there.

The colony was largely reinforced on the 1st of October, 1646, by the arrival of the ship "Gyllene Hajen" ("Golden Shark") with the sixth Swedish expedition. The voyage had occupied four months, the vessel losing near all her sails and the entire crew being sick. The cargo consisted of Holland goods intended for barter with the Indians for furs. On February 20, 1647, the ship "Gyllene Hajen" sailed with a return cargo, consisting of twenty-four thousand one hundred and seventy-seven pounds of tobacco, only six thousand nine hundred and twenty pounds of which was raised by the colony, the remainder having been purchased in Virginia.

Being in a condition to revive his languishing beaver trade, Printz now sent Huyghen and Van Dyck, with eight soldiers fifty miles into the interior among the Minquas, with presents of all kinds, to induce them to trade with the Swedes. The jealousy which had existed between the Swedes and Dutch from the beginning of the settlement, having broken out in open rupture in 1646, the following extract from Governor Printz's report "to the Most Honorable West India Company," gives a fair idea of the relations which then existed between the rival colonists on the Delaware:

"It is of the utmost necessity for us to drive the Dutch from the river, for they oppose us on every side. (1) They destroy our trade everywhere. (2) They strengthen the savages with guns, shot and powder, publicly trading with these against the edict of all Christians. (3) They stir up the savages against us, who, but for our prudence, would already have gone too far. (4) They begin to buy land from the savages within our boundaries, which we had purchased already eight years ago, and have the impudence in several places to erect the arms of the West India Company, calling them their arms; moreover, they give New Sweden the name of New Netherland, and dare to build their houses there, as can be learned from the Dutch Governor's letter, here annexed, and by my answer to it; in short, they appropriate to themselves alone every right, hoist high their own flags, and would surely not pay the least attention to Her Majesty's flags and forts, were they not reminded by cannon shot. They must be driven from the river, either by mutual agreement or other means; otherwise they will disturb our whole work.

¹ Besides Johan Papegoja, only five are mentioned in a list of persons living in New Sweden March 1, 1648, viz.: The barber, Hans Janche, from Königsberg, who "settled in New Sweden in the service of the Crown, March 31, 1644;" Jan Mattson, gunner at Fort Elfsborg; Anders Joenson, soldier, engaged by Papegoja December 1, 1643; Wille Lohs, soldier, ditto; Sven Svensson, a lad.—*Pennsylvania Magazine*, Prof. G. B. Keen, translator, Vol. VII., page 419.

² Called by the Indians Kaharikonk. It was near the present Cobb's Creek, a branch of Darby Creek.

The better to accomplish their intention, some of the Hollanders have entirely quitted the Christians, resorting to the Minquas, behaving with much more civility than the savages themselves. I have written several times to their Governor about all these improprieties, and also caused their arms to be cut down, but it did not make any difference; they are very well that we have a weak settlement; and, with no assistance on our side, their malice against us increases more and more."

Notwithstanding these difficulties the colony seemed to prosper, for it was successfully engaged in agriculture and trade, and numbered one hundred and eighty-three souls. It was greatly in need, however, of skilled mechanics and soldiers, "and, above all, unmarried women as wives for the unmarried freemen and the rest." In consequence of Printz's report, on the 25th of September, 1647, the seventh expedition set sail from Gottenburg, on the ship "Svanen," Captain Steffen Willemsen, carrying emigrants and a valuable cargo. Among the former were two Lutheran clergymen, Lars Carlsson Loock (Laurentius Lockenius) and Israel Fluviander, Printz's sister's son, with Johan Pope-

During all these disputes and high-handed dealings in the period of Printz's administration, the Dutch had sedulously pursued the policy of acquiring, by public and private purchase, Indian titles to all the lands on both sides the Delaware from Salem and Christinaham up. The Swedes had latterly adopted the same policy, but with less success. Stuyvesant came to the South River in person in 1651, "to preserve and protect the company's rights and jurisdiction." He sent proofs to Printz of the company's rights in the premises, and demanded in return that the Swedish governor should produce proof of what lands he had purchased and his authority to hold them. Printz could merely define the limits of his territory, and say that his papers were on file in the chancery of Sweden. Then Stuyvesant is said to have detected Printz in an attempt to secretly buy title from an Indian sachem called Waspung Zewan, whereupon the Dutch governor forthwith dealt with the Indians himself, and was by them presented with a title to both sides of the Delaware from Christina Creek to Bombay Hook, they at the same time denying that they had ever sold any lands to the Swedes. Finally, Stuyvesant determined that he would build another fort, Fort Nassau being too much out of the way, and in spite of Printz's protests he built Fort Casimir on the Delaware side of the river, about one Dutch mile from Fort Christina and near the present city of New Castle, where he stationed a garrison, with cannon and two ships. The central point of the Dutch power on the Delaware, was now transferred to Fort Casimir, and soon after Fort Nassau was abandoned. Printz and Stuyvesant had several interviews with each other, and the final result was that "they mutually promised to cause no difficulties or hostility to each other, but to keep neighborly friendship and correspondence together, and act as friends and allies."

It will be observed that all through these controversies, while there were many high words and some kicks and cuffs, the Dutch and Swedes never came to actual hostilities, and always maintained a *modus vivendi* with one another. This was not because they hated each other less, but because they dreaded a third rival more. Both Dutch and Swedes were terribly apprehensive of English designs upon the Delaware. As was laid down in the instructions to Governor Risingh, who succeeded Printz in New Sweden, speaking of the new Fort Casimir, if Risingh could not induce the Dutch to abandon the post by argument and remonstrance and without resorting to hostilities, "it is better that our subjects avoid resorting to hostilities, confining themselves solely to protestations, and suffer the Dutch to occupy the said fortress, than that it should fall into the hands of the English, who are the most powerful and of course



GOVERNOR PETER STUYVESANT.

goja who had returned to Sweden. On the 16th of May, 1648, the ship "Svanen" sailed from New Sweden with a return cargo, and after a remarkably short voyage of thirty days, arrived at Helsingor, and on the 3d of July, at Stockholm.

In 1647 the Dutch Director-General Kieft was succeeded by Peter Stuyvesant, who began his administration on May 27th. Printz found him a very different man from Kieft. When the two governors finally met on May 25th, 1651, the Dutch director-general, while quite as soldierly, bluff, and irascible as Printz, showed himself to be head and shoulders above the latter in diplomacy.

the most dangerous in that country." In the same way, after Stuyvesant had met the English at Hartford, Conn., treated with them, and settled a mutual boundary line, so that all was apparently peace and friendship between the Dutch and the New Englanders, the New Haven Company thought they would be permitted without dispute to resume the occupancy of their purchased Indian lands on the New Jersey side of the Delaware Bay at Salem, whence they had been twice expelled. Accordingly, Jasper Graene, William Tuthill, and other inhabitants of New Haven and Sotocket, to the number of about fifty, hired a vessel and sailed for that destination. On the way they considerably put into Manhattan to notify Stuyvesant of their errand, and consult with him as to the best way of accomplishing it. Stuyvesant took their commission away from them, clapped the master of the vessel and four others into prison, and refused to release them until "they pledged themselves under their hands" not to go to Delaware, informing them likewise that if any of them should afterwards be found there he would confiscate their goods and send them prisoners to Holland. At the same time he wrote to the governor of New Haven that the Dutch rights on the Delaware were absolute, and that he meant to prevent any English settlement there "with force of arms and martial opposition, even unto bloodshed." The Swedes were so much impressed with this firm attitude and with their own unprotected condition (this was probably during the interregnum between Printz's departure and the arrival of Risingh, when Papegoja, Printz's son-in-law, was acting governor, and there was no news from the mother-country) that they asked Stuyvesant to take them under his protection. The director-general declined to do so without instruction from home, and the directors of the company when he consulted them left the matter to his own discretion, simply suggesting that while population and settlement should be encouraged by all means as the bulwark of the State, it would be advisable that all settlers should yield allegiance to the parent State, and be willing to obey its laws and statutes in order to obtain protection.

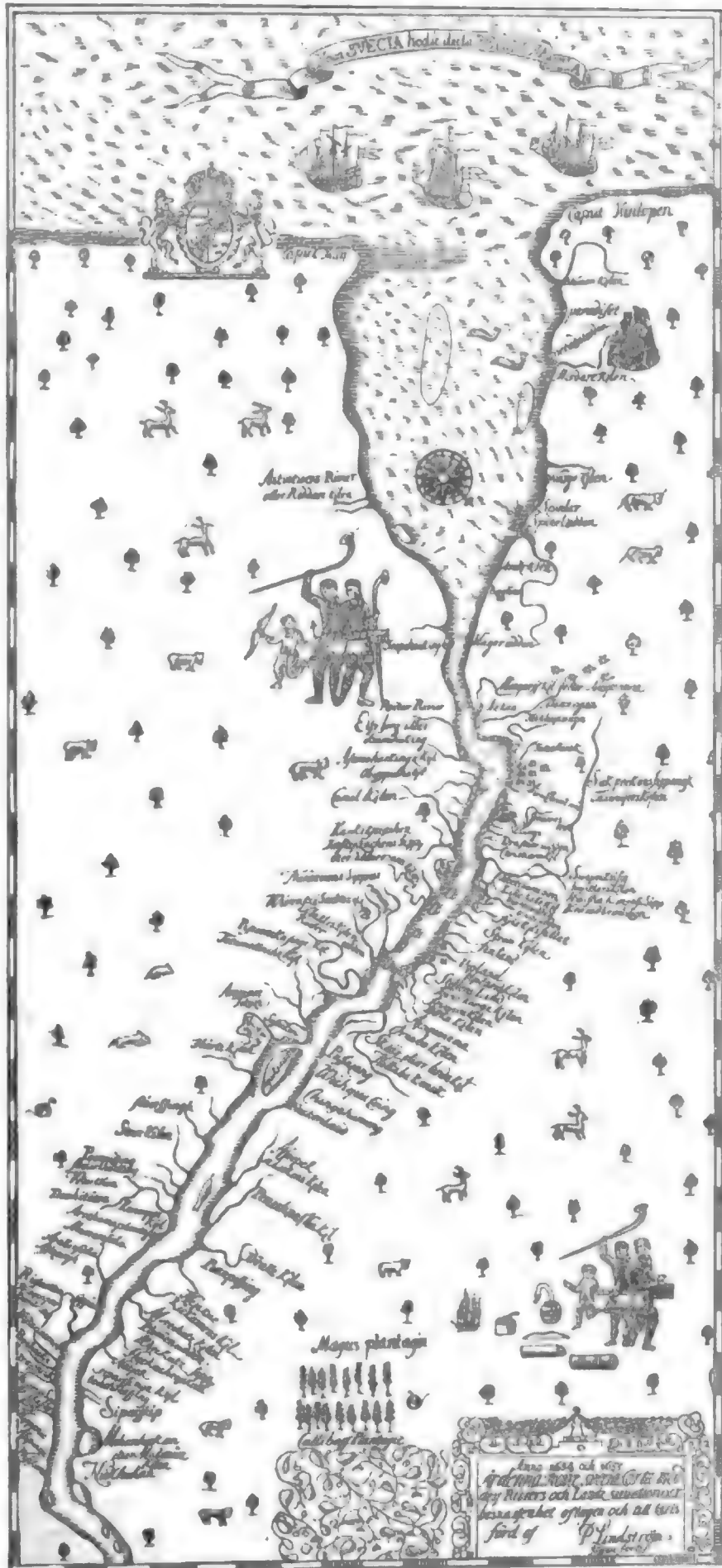
The difficulties between Printz and Stuyvesant came before the Royal Council of Sweden in March, 1652, and pending its negotiations Governor Printz fell into still greater straits. On August 30, 1652, he wrote to the Chancellor of the Kingdom: "The Puritans threaten us with violence, and the Dutch are pressing upon us on all sides; they have ruined the fur trade; the savages are troubling us, having brought cargoes of strangers; the people are beginning to desert the colony in despair; forty Dutch families have settled east of the river, who have absolutely no provisions, and do not sow or plough, desiring to

live by the traffic with the natives, which they themselves have destroyed." During the following year the situation was not improved. Stuyvesant had now assembled his force at Fort Casimir, where already in the beginning of 1653 no less than twenty-six Dutch families had settled, and more still were expected. Nevertheless, he did not venture yet to make any attempt against the Swedes, chiefly for fear of the English, but felt obliged to conform to the admonition of his Directors, to endeavor as far as possible to avoid dissensions with them; "not to increase the number of the Company's enemies during that critical period." Not a word was heard from Sweden to relieve the anxiety of Printz, although he urgently applied for aid in his letters to his superiors. He insisted on his dismissal, and many other inhabitants of the colony, particularly persons in the service of the company, desired to return to their native country, while some removed to Maryland, and others besought Stuyvesant to allow them to settle among the Dutch, a privilege he dared not grant. In consequence of a war between two neighboring Indian tribes no fur trade could be carried on, and the non-arrival of any succor gradually caused the colonists (hitherto in the enjoyment of the great consideration accorded to the Swedish nation) to be regarded "as abandoned wanderers, without a sovereign."¹ To give further weight to his complaints, in July, 1653, the Governor sent home his son, Gustavus Printz, who had been a lieutenant in the colony of New Sweden since 1648. Governor Printz himself now feared that the colony had been abandoned to its fate, as he had not received any letters or orders from the mother country for six years. His commands were no longer obeyed and he resolved to go home, after having promised the settlers, for their fidelity to the Crown of Sweden, to come back in ten or twelve months from September, 1653, or, at least, to procure the sending of a ship if only to inform them as to the condition of their enterprise. He appointed Johan Papegoja Provincial Vice-Governor, and in company with his wife and children, Henrik Huyghen and a portion of the colonists, he sailed early in November, and, crossing the ocean in a Dutch vessel, December 1st, reached Rochelle, from whence he wrote to the Chancellor. Early in 1654 he went to Holland, and in April arrived once more in Sweden. After his return he was appointed colonel in the Swedish army, and in 1658 governor of the province of Jönköping. He died in 1663.

In the meantime Printz's representations at home, put fresh life into measures for the relief of the colony. Her Majesty renewed her mandate to

¹ History of the Colony of New Sweden, by Carl K. Sprinchorn, translated and ably annotated by Professor Gregory B. Keen.—*Pennsylvania Magazine of History and Biography*, Vol. VIII., page 39.

the Admiralty concerning the equipment of a ship for New Sweden, "that the enterprise might not altogether come to naught." The general management of Swedish affairs on the Delaware had now passed to the charge of the "General College of Commerce," of Stockholm, of which Erik Oxenstierna was president. He issued the necessary instructions and the ship "Örnen" (the "Eagle") John Bockhom, commander, was assigned to take out emigrants and supplies. Sven Schute was commanded to enlist fifty soldiers for the reinforcement of the colony, and to proceed to Värmland and Dal, and collect families and single persons living in the forests, to the number of two hundred and fifty souls, "the majority to be good men, with some women." In accordance with Printz's request to quit the colony, Johan Klaesson Rising, the secretary of the college, was commissioned as his assistant on December 12, 1653, at an annual salary of one thousand two hundred *daler silver*. The ninth¹ Swedish expedition left Stockholm, on the 8th of October, on the ship "Örnen," but was delayed at Gottenburg, taking on cargo, etc., until the 2d of February, 1654, when she sailed. The settlers were accompanied by Peter Lindstrom, a military engineer of some distinction, who had been appointed to serve in a professional capacity in the colony. He afterwards, in 1654-56, made a very interesting map of "Nya Sverige," to accompany Campanius' history. A facsimile of it appears in the text, with the Indian or Swedish names for all the sites on South river. Associated with him were two preachers, Petrus Hjort and Matthias Nertunius, who had made an attempt to reach the colony in 1649, with the unfortunate expedition which sailed in the "Kattan." After great suffering and danger the emigrants



¹The eighth expedition which sailed from Gottenburg on the 3d of July, 1649, in the "Kattan" (the "Cat"), under the command of Captain Hans Amundsson, was wrecked and plundered at Porto Rico,

August 20, 1650, and never reached the Delaware.—See *Pennsylvania Magazine*, Vol. VIII., page 29.

arrived in the Delaware Bay on the 18th of May, and two days afterwards arrived at Fort Elfsborg, which was now deserted and in ruins. On the 21st of May, being Trinity Sunday, the "Örnen" cast anchor off Fort Casimir, and discharged a Swedish salute.

Rising's instructions under date of December 15, 1653, and signed by Erik Oxenstjerna and Korster Bonde, show that the Swedes intended to re-establish power in the colony. He and the Governor were to administer justice, and promote trade and the professions—fishing, husbandry, attracting members of neighboring nations, who might be able to give them aid. Especially were they required to seek "to rid the place of the Dutch, who had erected a fort there, exercising, however, all possible prudence," and above all, taking care that the English did not obtain a foothold. They were also to endeavor to enlarge the limits of the settlement, and try to get all trade on the river out of the hands of foreigners by building, if need be, another fort at the mouth of the Delaware.

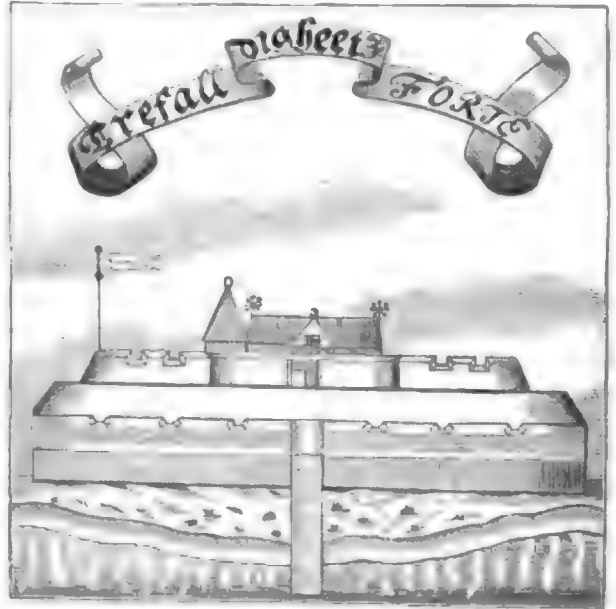
Immediately upon Rising's arrival off Fort Casimir, he sent Sven Schute, with twenty soldiers, to the shore, to demand the surrender of the garrison, and not receiving an answer to his signal, fired at the fort from two of the heaviest guns on his ship. Taken by surprise Gerrit Bikker, the Dutch commander dispatched four men with a request for three days' respite, which was refused, and when the latter inquired the terms of the Swedes, they were told that they should be informed of these the following day at Fort Christina. Meanwhile, Lieutenant Gyllengren, under orders of Schute, pressing in with some men through a gate, overpowered the sentinels, disarmed the garrison, and triumphantly displayed the Swedish flag above the fort. The force which held it consisted of barely a dozen soldiers, although not less than twenty-two houses, inhabited by Dutch settlers, lay round about. After a body of Swedes, under the command of Schute, had entered Fort Trinity (named after Trinity Sunday, because it was captured on that day), the Dutch soldiers received permission to stay or go, as they pleased.¹

¹ Lindstrom's Journal and letters, and Rising's Journal. The Dutch gave a different narrative of the capture of Fort Casimir.

Gerrit Bikker, commandant of Fort Casimir, in a letter to Governor Stuyvesant, of 8th June, 1654, communicates as follows: "On the last day of May, we perceived a sail; not knowing who she was, or where from, Adriaen Van Tienhoven, accompanied by some free persons, were sent towards her to investigate, who, on the next day, contrary to hoping and trusting, returned here in the roads about two hours before the arrival of the ship, with the following news: that it was a Swedish ship, full of people, with a new governor, and that they wanted to have possession of this place and the fort, as they said it was lying on the Swedish government's land. About an hour after receiving this news, the Swedish government's captain, Swensko, with about 20 soldiers, came on shore with the ship's boat. We bade them welcome as friends, judging, that in case they intended to attempt any thing, they would at least give us notice; but contrary to this, he made his people likewise come in, and then demanded, at the point of the sword, the surrender of the river, as well as the fort. This transaction was so hurried as hardly to afford delay enough for two commissioners to proceed on

On the day following the capture of Fort Casimir the "Örnen" sailed up to Christina, where the three hundred emigrants were landed—the largest body that had ever reached New Sweden at one time.

On the following day all the people at Christina



FORT CASIMIR OR TRINITY FORT.

[From Campanius' "New Sweden."]

assembled to take the oath of allegiance to Sweden and the West India Company, and Papegoja resigned his office as Governor into the hands of Rising, notwithstanding the latter had not yet been duly appointed to that charge. Papegoja and Schute continued to be the Governor's principal assistants in the direction of the colony. On the 3d of June a similar meeting was held at Printzhof on Tennakong, and the Dutch commandant at Fort Casimir and the majority of his garrison swore fealty to Sweden. Afterwards the Governor, in company with engineer Lindstrom, made a journey around the rest of the Swedish settlement to become acquainted with the region; and finally he called the neighboring Indians together with a view to make them his allies. The joint council was held at Tinnecum, (then called Printzhof) on June 17th, at which ten Indian

board, to demand of the governor his commission and some little time for consultation; but before the commissioners had got on board, there were two guns fired over the fort charged with ball, as a signal, after which our people were immediately deprived of their side-arms, and likewise aim taken on them, ready to fire, because they did not deliver up their muskets, which were immediately snatched from them, and likewise men were immediately stationed at the pieces of ordnance at the points. Those who had been sent off returned, and brought us information that there was no desire to give one hour delay, that his commission was on board the vessel, and that we would immediately perceive the consequences of it. The soldiers were immediately chased out of the fort, and their goods taken in possession, as likewise my property, and I could hardly, by entreaties, bring it so far to bear that I, with my wife and children, were not likewise shut out almost naked. All the articles which were in the fort were confiscated by them, even the corn, having hardly left us as much as to live on, using it sparingly, &c. The governor pretends that her Majesty has license from the States-General of the Netherlands, that she may possess this river provisionally."—Holl. Dec., Vol. VIII., pages 85, 87, *Hazard's Annals* pages 148-9.

chiefs were present, and Rising offered many presents, distributed wine and spirits, and spread a great feast of suppaun; the old treaties were read, mutual vows of friendship exchanged, and the Indians became allies of the Swedes, whom they strongly counseled to settle at once at Passayunk.

On July 3d Rising sent an open letter to all the Swedes who had gone off to Maryland and Virginia, inviting them to return, when, if they would not remain at the settlement, they should receive permission and be provided with a pass to betake themselves wherever they wished. Fort Trinity was rebuilt from its foundations and armed with four fourteen-pounder cannon taken from the "Örnen." The land nearest to Christina was divided into building lots for a future town of Christinahamn (Christinaport), from whence traffic was to be carried on with the Provinces of Virginia and Maryland, with which intent, also, Rising planned the widening of the Swedish territory to the west by means of a new settlement, no limit ever having been set to it in that direction. Finally a map of the river and Swedish possessions was prepared by Lindstrom, with an accurate description of the region. In an "ordinance concerning the people and the land," etc., dated July, 1654, he decreed the first anti-slavery act adopted in America: "Whoever bespeaks of the company any slave over fourteen years in service shall give, besides the passage money received, twenty-four riksdaler, and the slave shall serve him six consecutive years, obtaining his food, shoes, and so forth every year; after six years a slave shall be absolutely free."

Rising selected for himself a piece of land south of Trinity Fort, a quarter of a mile in length, and in a letter to Chancellor E. Oxenstierna dated June 11, 1654, he solicits "His Excellency to find him a good wife and send her over." He assigned Petrus Hjort, one of the ministers who came out on the "Örnen," to a home in Fort Trinity, while his companion, Matthias Nertunius, dwelt at Upland.

The Dutch and Swedish population on the Delaware at this time, according to a census taken by Rising, was three hundred and sixty-eight persons. This is probably exclusive of many Swedes who had gone into the interior and crossed the ridge towards Maryland. But little agriculture was attended to besides tobacco planting, and the chief industry was the trade in peltries, which was very profitable. In this trade the Indians had acquired as great skill as in trapping the beaver and drying his pelt. The price of a beaver-skin was two fathoms of "seawant," and each fathom was taken to be three ells long. An ell was measured (as the yard still is in country places), from one corner of the mouth to the thumb of the opposite arm extended. The Indians, tall and long-limbed, always sent their longest

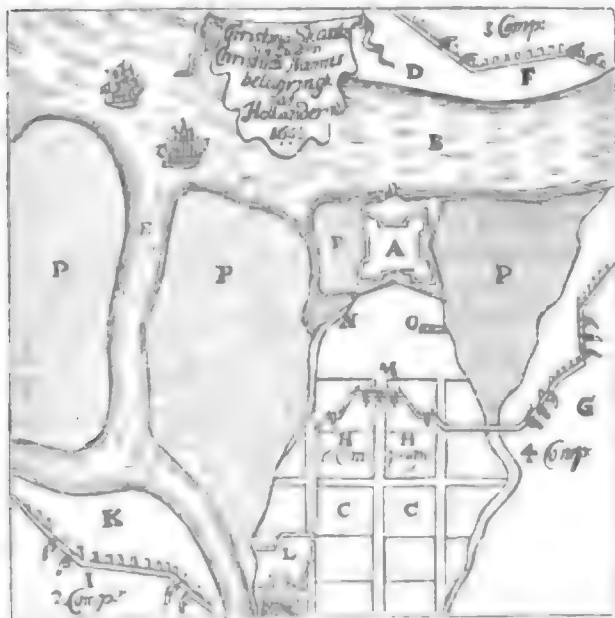
armed people to dispose of beaver-skins, and the Dutch complained at Fort Nassau that the savages outmeasured them continually.

The "Örnen" returned to Sweden in July, 1654, with a cargo of Virginia and Maryland tobacco, and carrying as passengers some of the older colonists including Johan Papegoja. Arriving at home the government was engaged in fitting out at Gottenburg the "Gyllene Hajen" (the "Golden Shark"), for another expedition to the Delaware. On the 12th of September the "Gyllene Hajen" arrived off the American coast, and "through rashness, or perhaps malice, of the mate," entered a bay believed to be the Delaware, but in fact the North River, or Hudson, the blunder not being discovered until she had reached Manhattan.

It was not to be expected that a man of Stuyvesant's heady temperament would permit an outrage, such as the capture of Fort Casimir, to go unrevenged, even if the directors of the West India Company had passed it by. But they were quite as eager as Stuyvesant himself, for prompt and decisive action on the Delaware. The time was auspicious for them. Axel Oxenstierna, the great Swedish chancellor, was just dead, Queen Christina had abdicated the throne in favor of her cousin Charles Gustavus, and England and Holland had just signed a treaty of peace. The directors insisted upon the Swedes being effectually punished, and ordered Stuyvesant, not only to exert every nerve to revenge the injury, not only to recover the fort and restore affairs to their former situation, but to drive the Swedes from every side of the river, and allow no settlers except under the Dutch flag. He was promised liberal aid from home, and was ordered to press any vessel into his service that might be in the New Netherlands. Stuyvesant meanwhile was not idle on his own side. He seized and made prize of the "Gyllene Hajen" at Manhattan, and placed her captain under arrest, as soon as he heard the news from Fort Casimir. He received five armed vessels from Amsterdam, and ordered a general fasting and prayer, and then hastened to set his armaments in order. On the 30th of August, Stuyvesant's forces, consisting of seven ships and six hundred men, entered Delaware Bay and cast anchor before the former Elfsborg. On the following day the Dutch fleet was off the late Fort Casimir, now Fort Trinity. The fort was summoned to surrender. The garrison, under Captain Sven Schute, which numbered only forty-seven men, and their commander, surrendered them on honorable terms before a gun was fired. Stuyvesant marched on the following day to Fort Christina, where Risingh was in command, and invested it on every side. Risingh pretended great surprise, resorted to every little diplomatic contrivance he could think of, and then on the 14th

of September, surrendered also, before the Dutch batteries opened. In truth his fort was a weak and defenseless one, and he had scarcely two rounds of ammunition.

In accordance with the terms¹ agreed to, the little Swedish garrison marched out, "colors flying." The Dutch went up the river to Tinnecum, where they laid waste all the houses and plantations, killed the cattle and plundered the inhabitants.



PLAN OF THE TOWN AND FORT CHRISTINA, BESIEGED BY THE DUTCH IN 1655.

[From Campanius' "New Sweden,"]

A, Fort Christina. B, Christina Creek. C, Town of Christina Hamm. D, Tennekong Land. E, Fish Kill. F, Slaugenborg. G, Myggenborg. H, Rottneborg. I, Flingenborg. K, Timber Island. L, Kitchen. M, Position of the besiegers. N, Harbor. O, Mine. P, Swamp.

A great many Swedes came in and took the oath² of allegiance to the Dutch.

All such were suffered to remain undisturbed in their possessions. A few who refused to take the oath were transported to Manhattan,³ while others

¹See Hazard's *Annals*, pages 183, 185, 187, 189. Also, *Pennsylvania Magazine*, Vol. VIII., page 152.

²"Oath.—I, undersigned, promise and swear, in presence of the omnipotent and almighty God, that I will be true and faithful to their high and mighty lords and patrons of this New Netherland province, with the director-general and council already appointed, or who may be appointed in future, and will remain faithful, without any act of hostility, sedition, or intention, either by word or deed, against their high sovereignty, but that I will conduct myself as an obedient and faithful subject, as long as I continue to reside on this South River in New Netherland. So help me God Almighty.

Signed,

"JAN HOFFEL.	HARMEN JANS.
"CLARK PETERSON.	JOHAN ANIES.
"CONSTANTINA GRUMBERGH.	JOFF THANSEN.
"ABRAHAM JANSSEN.	LANBERT MICHELSON.
"BARNET JANSSEN.	SIMON HIDDEN.
"MARTIN MARTENS.	JAN ECHOBT.
"SAMUEL PETERSE.	THOMAS BRUYN.
"WILLIAM MORRIS.	ANDREAS JANSSEN.
"CLARK TOMASSEN.	JAN JANSSEN.
"MOLENS ANDRIJSEN.	MATHEYS ELKIDRE."

³Acrelius says, "The Swedes suffered great hardships from the Dutch. The flower of their troops were picked out and sent to New Amsterdam; though under pretext of their free choice, the men were forcibly carried aboard the ships. The women were ill treated in their houses, the goods pillaged, and the cattle killed. Those who refused allegiance were

crossed into Maryland, and permanently settled in Cecil and Kent Counties, where their family names are still preserved; but the Dutch yoke undoubtedly sat very lightly upon Swedish shoulders.

This was the end of the Swedish rule on the Delaware. Stuyvesant obeying instructions from the West India Company, made a formal tender of redelivery of Fort Christina to Risingh, but that hero was in the sulks, refused to receive it, and went home in November, by way of New Amsterdam, swearing at the Dutch "in frantic mood."

While these events were transpiring the authorities in Sweden succeeded in fitting out the tenth and last expedition to New Sweden. The *Mercurius* sailed on the 16th of October, 1655, bearing the last hope of safety for the enterprise on the Delaware, which had already come to an ignominious end. She arrived in the Delaware, March 24, 1656, the emigrants first learning the changes that had occurred when they were prevented from landing, by the Dutch Vice-Governor Paul Jacquet, until the receipt of further orders from Manhattan. Stuyvesant sent instructions forbidding them to land, and directed that they should be sent to Manhattan, to lay in provisions, etc., for their voyage home. The emigrants refusing to return to Sweden, they took the vessel past Fort Casimir, and up the river to Mantoes Huck, where they landed. The *Mercurius* returned to Guttenborg, arriving there in September of the same year.

Upon the conquest of New Sweden, Stuyvesant appointed Captain Derrick Schmidt as commissary, who was quickly succeeded as we have seen, by John Paul Jacquet, in the capacity of "Vice-Director of the South River," with a Council consisting of Andreas Hudde, vice-director, Elmerhuysen Klein, and two sergeants. Fort Christina became Altona, Fort Casimir resumed its old name, and a new settlement grew up around it which was named New Amstel, the first actual town upon the river.

It must be confessed that if the Swedes on the Delaware were not a happy people it was their own fault. But they were happy. Come of a primitive race not yet spoiled by fashions, luxury, and the vices of civilization, and preferring agriculture and the simplest arts of husbandry to trade, they found themselves in a new, beautiful, and fertile region, with the mildest of climates and the

watched as suspicious. That this ill usage took place, appears from the testimony given by Risingh to those who had suffered, several of which were preserved in the original. The Dutch have in vain endeavored to defend their aggressions by allegations that the Swedish establishment was by a private company, because the whole was undertaken under the authority and protection of the government."

One of these certificates given by Risingh, is copied on the records of the Swedes' Church at Wicucco; it is "a passport given by Risingh to Nicholas Mattson. "I do by these presents certify, that the bearer has, during my whole time, behaved as an honest, faithful servant of the crown. He was brought on board the enemy's vessel, and endured, for three weeks, with the other prisoners, contumelious insults. In the same time his house was plundered, and his wife stripped of her very garments."

kindest of soils. Government, the pressure of laws, the weight of taxation they scarcely knew, and their relations were always pleasant, friendly, and intimate with those savage tribes the terror of whose neighborhood drove the English into sudden atrocities and barbarities. Very few Swedes ever lost a night's rest because of the Indian's war-whoop. They were a people of simple ways, industrious, loyal, steadfast. In 1693 some of these Delaware Swedes wrote home for ministers, books, and teachers. This letter says, "As to what concerns our situation in this country, we are for the most part husbandmen. We plow and sow and till the ground; and as to our meat and drink, we live according to the old Swedish custom. This country is very rich and fruitful, and here grow all sorts of grain in great plenty, so that we are richly supplied with meat and drink; and we send out yearly to our neighbors on this continent and the neighboring islands bread, grain, flour, and oil. We have here also all sorts of beasts, fowls, and fishes. Our wives and daughters employ themselves in spinning wool and flax and many of them in weaving; so that we have great reason to thank the Almighty for his manifold mercies and benefits. God grant that we may also have good shepherds to feed us with his holy word and sacraments. We live also in peace and friendship with one another, and the Indians have not molested us for many years. Further, since this country has ceased to be under the government of Sweden, we are bound to acknowledge and declare for the sake of truth that we have been well and kindly treated, as well by the Dutch as by his Majesty the King of England, our gracious sovereign; on the other hand, we, the Swedes, have been and still are true to him in words and in deeds. We have always had over us good and gracious magistrates; and we live with one another in peace and quietude."¹

One of the missionaries sent over in response to the touching demand of which the above quoted passage is part, writing back to Sweden after his arrival, says that his congregation are rich, adding, "The country here is delightful, as it has always been described, and overflows with every blessing, so that the people live very well without being compelled to too much or too severe labor. The taxes are very light; the farmers, after their work is over, live as they do in Sweden, but are clothed as well as the respectable inhabitants of the towns. They have fresh meat and fish in abundance, and want nothing of what other countries produce; they have plenty of grain to make bread, and plenty of drink. There are no poor in this country, but they all provide for themselves, for the land is rich and fruitful, and no man who will labor can suffer want." All

this reads like an idyl of Jean Paul, or one of the naïve, charming poems of Bishop Tegner. It is a picture, some parts of which have been delightfully reproduced by the poet John G. Whittier in his "Pennsylvania Pilgrim."

CHAPTER VI.

SIR EDMUND PLOWDEN AND NEW ALBION.

BEFORE the grant of the Province of Maryland to Cecilius Calvert, second Lord Baltimore, in 1632, Sir Edmund Plowden, an Englishman of distinguished ancestry, with Sir John Lawrence and others, petitioned Charles the First for a grant of Long Island and thirty miles square, to be called Syon. This was modified in another petition to the king, asking permission to occupy "an habitable and fruitful Island named Isle Plowden, otherwise Long Isle," "near the continent of Virginia, about sixty leagues northwards from James City, without the Bay of Chesapeake," and "forty leagues square of the adjoining continent, as in the nature of a County Palatine or body politic, by the name of New Albion, to be held of your Majesty's Crown of Ireland, exempted from all appeal and subjection to the Governor and Company of Virginia." One month



SIR EDMUND PLOWDEN.

after the Province of Maryland was given to Cecilius Calvert, King Charles ordered his secretary, John Coke, to request the Lords Justices of Ireland to grant to the petitioners the island "between thirty-nine and forty degrees of latitude," and forty leagues adjacent on the adjoining continent, with the name of New Albion. This grant, which was enrolled in the city of Dublin, where Sir Edmund Plowden chose to have it registered, being a Peer of Ireland,² conveyed to him the following uncertain-bounded territory:

"Our south bound is Maryland north bound, and beguneth at Aquats or the southernmost or first cape of Delaware Bay in thirty-eight and forty minutes, and so runneth by, or through, or including Kent Isle, through Chisapeake Bay to Passataway, including the falls of Pawtomecke river to the head or northernmost branch of that river, being three hundred miles due west, and thence northward to the head of Hudson's river fifty leagues, and so down Hudson's river to the Ocean, sixty leagues; and, thence of the Ocean and Isles across Delaware Bay to the South Cape fifty leagues; in all seven hundred and eighty miles. Then all Hudson's river, Isles, Long Isle, or Pamunke, and all Isles within ten leagues of the said Province."²

Shortly after New Albion was granted to Sir

¹ *Annals of the Swedes on the Delaware.* By Rev. J. C. Clay, D.D.

² *Pennsylvania Magazine*, Vol. vii., page 396.

³ *Forde's Historical Tracts*, Vol. II. page 28.

Edmund Plowden, Captain Thomas Young, a son of Gregory Young, of York, received a special commission from the king, which is printed in Rymer's "Fœdera," and dated September 23, 1633, authorizing him to fit out armed vessels for the voyage to Virginia and adjacent parts; to take possession in the king's name of all territory discovered, not yet inhabited by any Christian people; to establish trading posts with sole right of trade, and to make such regulations and to appoint such officers as were necessary to establish civil government.

In the spring of 1634 the exploring expedition departed, the lieutenant of which was Robert Evelyn, a nephew of Young; Evelyn's father, of Godstone, Surrey, having married Susan, the captain's sister. Among other officers was a surgeon named Scott, and the cosmographer was Alexander Baker, of St. Holborn's Parish, Middlesex, described by Young as "skilful in mines and trying of metals." The great object of Captain Young was to ascend the Delaware River, which he called Charles, in compliment to the king, until he found a great lake, which was said to be its source, and then to find a Mediterranean Sea, which the Indians reported to be four days' journey beyond the mountains. He entered Delaware Bay on the 25th of July, 1634, and on the 29th of August had reached the Falls of the Delaware River. On the first of September Lieutenant Robert Evelyn was sent in the shallop "up to the rocks both to sound the water as he went and likewise to try whether the boats would pass the rocks or no." Meeting a trading vessel there from Manhattan, Young ordered Evelyn to see the Hollanders outside of Delaware Bay and then to go and discover along the Atlantic coast. He was sent as far as Hudson's River, and then returned to Young on the Delaware. Captain Young writes: "As soon as he was returned I sent him presently once more up to the falls, to try whether he could pass those rocks at a spring-tide, which before he could not do at a neap-tide; but it was then also impossible with any great boats, whereupon he returned back to me agayne."¹

After this expedition Young, still being in the Delaware River, where he traded with the Indians at Fort Eriwoneck, Robert Evelyn was sent with dispatches to England, where he remained until the fall of 1636, when he returned to Virginia and the next year was one of the councillors and surveyors of that colony. At this time George, his brother, came to Kent Island, in Maryland, as the agent of the London partners of William Clayborne.

When Robert Evelyn again returned to England he was induced, in 1641, to write a small quarto

with the title "Direction for Adventurers, and true Description of the healthiest, pleasantest, richest plantation of New Albion, in North Virginia, in a letter from Master Robert Eveline, who lived there many years." The description was in the form of a letter and addressed to Plowden's wife.²

Sir Edmund Plowden's first visit to America was in 1642. Robert Evelyn, who had also returned on the 23d of June of the same year, was commissioned by the authorities of Maryland "to take charge, and command, of all or any of the English in, or near about, Piscataway, and levy, train and master them."

During the year 1642 Plowden appears to have sailed up the Delaware and visited "the fort given over by Captain Young and Master Evelyn," which seems to have been in or near the Schuylkill. His residence was chiefly in Northampton County, Virginia,³ and he brought some servants of his family from England.⁴

² Rev. Edward D. Neill, President of Macalester College, Minnesota, who has given much time and thought to early American history, in his very interesting paper on Sir Edmund Plowden, published in the *Pennsylvania Magazine*, Vol. vii., page 206, to which we are indebted for most of the facts embraced in this chapter, says: "When Evelyn was in England in A.D. 1634, Edmund Plowden was living at Wanstead by no means happy, and causing those who were in any way dependent upon him to feel most miserable. His harsh treatment of others, and ungovernable temper, made him a pest in the neighborhood. About this time, also, he left the Church of Rome, and conformed to the Church of England. His wife, Mabel, to whom he had been married twenty-five years, on account of his cruelty was at length obliged to make complaint. The court sustained her, and Plowden was ordered to pay the expenses of suit and provide alimony. Another complaint was lodged against him on May 3, 1638, for beating the wife of Rev. Philip Oldfield, Rector of Lasham, who was about to become a mother, because Plowden and the clergyman had disagreed upon the terms of a certain lease. As late as November 14, 1639, he manifested 'passion,' 'obstinate lying,' and persisted in contempt of court, by refusing to pay his wife's alimony. It had become evident that if he should sail for America, his absence would not be deplored."

Sir Edmund Plowden was the lineal descendant of Edmund Plowden, the learned and honorable pleader, who died in 1384, whose commentaries on law, Chief Justice Coke called "exquisite and elaborate." About the year 1610, Plowden was married to Mabel, daughter of Peter Mariner, of Wanstead, Hampshire. In the *Calendar of State Papers of 1634-35*, there is a notice of five pounds and nineteen shillings of ship-money assessed upon Sir Edmund's tenants in Hampshire.

³ In the manuscript records of Northampton County, Virginia, there are some particulars in the life of Sir Edmund Plowden, Knt. It appears when he sailed for America with a friend he brought two letters of introduction from William Webb, of London, one addressed to "Thomas Copley at his plantation in Maryland," he being at that time the temporal confidant of the Jesuit Mission, and the other was addressed to the head of the Mission, "To his Noble Reverend Mr. Andrew White, Esq., at Maryland." There is an account against Plowden by the clerk of the Northampton Court of three hundred pounds of tobacco for taking depositions, making copies, etc. There are other brief notices of him on the records showing his residence in the county, among others a verdict between "Capt. Thomas Burtage plaintiff and Edmund Plowden," dated March 6, 1642-43.—*Pennsylvania Magazine*, Vol. x., page 180.

⁴ In the manuscript records of Maryland, in the Land Office at Annapolis, there is a notice of Margaret Brent, the intimate friend of Governor Leonard Calvert, visiting the Isle of Kent, in the Chesapeake Bay, accompanied by Anne, a lame maid-servant of Sir Edmund Plowden. In 1643 Nathan Pope petitioned the Provincial Court of Maryland to have three maid-servants of Sir Edmund Plowden delivered to him, so that he could convey them to Sir Edmund in Virginia. On July 17, 1643, William Eltonhead made oath before the same court that in June, 1642, in Satter Lane, London, Jane and Eleanor Stevenson did contract with Sir Edmund Plowden, Knt, to serve him for five years in New Albion, in Delaware Bay, and were to have fifty pounds sterling per annum, and they find themselves clothed. On January 15, 1643, "Robert Ellyson, barber-chirurgeon, demanded of Sir Edmund Plowden, Knt, 1156 lbs. of tobacco, due by account of chirurgery and physick this last summer for Ellen and Jane Stevenson, maid-servants of the said Sir Edmund"; and he attached Sir Edmund Plowden's right of service until the bill was paid. Sir Edmund afterwards sued his two maid-

¹ Young's letter in *Mass. Hist. Society Collections*, Fourth Series, Vol. ix., page 81.

John Printz, the third governor of New Sweden, arrived on the 15th of February, 1643, at Fort Christina on the Delaware. He appears to have resisted the claims of Plowden. In the "Remonstrance of New Netherlands," published in 1650, is the following:

"We cannot omit to say that there has been here, both in the time of Director Kieft and in that of General Stuyvesant, a certain Englishman who called himself Sir Edmund Plowden, and, styling himself Earl Palatine of New Albion, pretended that the country on the west side of the North River as far as Virginia, was his property under a grant from James, [Charles I.] King of England; but he remarked that he would have no misunderstanding with the Dutch, but was much offended with, and bore a grudge against, John Printz, the Swedish Governor in the South River, in consequence of receiving some affronts which were too long to record, but which he would take an opportunity of resenting and punishing himself of the South River."¹

It appears by the statement of Charles Varlo² that Sir Edmund Plowden, with his wife and two children, came over to New Albion to enjoy his property. Finding that it was occupied, and claimed by the Swedes and Dutch, he took up his residence for six years in Northampton County, Virginia, and on Kent Island and other portions

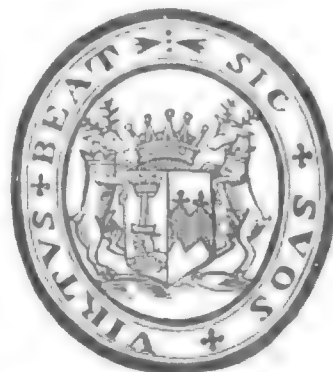
servants for one thousand pounds of tobacco for trespass for departing unlawfully out of his service in Virginia. Ellen Stevenson afterwards married William Branthwaite, a prominent citizen of St. Mary's County, Maryland. Anne Fletcher, who had contracted with Sir Edmund Plowden in England to serve as a waiting maid for his lady and daughters in New Albion, sued him for her wages in February, 1643, and, not liking the country, desired him to pay the expense of her transportation home. George Blux, about the same time, demanded of Sir Edmund one thousand pounds of tobacco "for paines and physick last somer for cure of Anne Fletcher, maid-servant to the said Sir Edward." Hazard, and others, note a purchase, in 1643, of a half interest in a bark, by Sir Edmund, which was then used by him.

¹The following interesting report of Sir Edmund Plowden is to be found in the second report of John Printz, Governor of New Sweden, to the Swedish West India Company, dated Christina, June 20, 1644:

"In my former communications concerning the English knight, I have mentioned how last year, in Virginia, he desired to sail with his people, sixteen in number, in a barque, from Heekemak [Accomack] to Kikathans [or Kecoughtan, the present Hampton]; and when they came to the Bay of Virginia, the captain (who had previously conspired with the knight's people to kill him) directed his course not to Kikethan, but to Cape Henry, passing which, they came to an isle in the high sea called Smith's Island, when they took counsel in what way they should put him to death, and thought it best not to slay him with their hands, but to set him, without food, or clothes, or arms, on the above-named island, which was inhabited by no man or other animal save wolves and bears; and this they did. Nevertheless, two young noble retainers, who had been brought up by the knight and who knew nothing of that plot, when they beheld this evil fortune of their lord, leaped from the barque into the ocean, swam ashore, and remained with their master. The fourth day following, an English sloop sailed by Smith's Island, coming so close that the young men were able to hail her, when the knight was taken aboard (half dead and as black as the ground) and conveyed to Heekemak, where he recovered. The knight's people, however, arrived with the barque May 6, 1643, at our Fort Effelsborg, and asked after ships to Old England. Hereupon I demanded their pass, and inquired from whence they came; and as soon as I perceived that they were not on a proper errand, I took them with me (though with their consent) to Christina, to bargain about flour and other provisions, and questioned them until a maid-servant (who had been the knight's washer woman) confessed the truth and betrayed them. I at once caused an inventory to be taken of their goods, in their presence, and held the people prisoners until the very English sloop which had rescued the knight arrived with a letter from him concerning the matter, addressed not alone to me, but to all governors and commandants of the whole coast of Florida. Thereupon I surrendered to him the people, barque and goods (in precise accordance with the inventory), and he paid me 425 riksdaler for my expenses. The chief of these traitors the knight has had executed. He himself is still in Virginia and (as he constantly professes) expects vessels and people from Ireland and England. To all ships and barques that come from thence he grants free commission to trade here in the river with the savages; but I have not yet permitted any of them to pass, nor shall I do so until I receive order and command to that effect from my most gracious queen, her Royal Majesty of Sweden."—*Pennsylvania Magazine*, Vol. vii., page 30.

²"Nature Displayed," London, 1794, page 142, et seq.

of Maryland, which he claimed were included in his grant. He brought over with him numerous servants and settlers, and went to great expense and labor, in endeavoring to establish his claims. He leased to Lord Mason 5,000 acres, who was to settle it with 50 men; to Lord Sherrard he leased 1000 acres, who was to settle it with 100 men; to Sir T. Dandy he leased 1000 acres, who was to settle it with 100 men; to Mr. Heltonhead 5000 acres, who was to settle it with 50 men; to Mr. Heltonhead's brother 5000 acres, who was to settle it with 50 men; to Mr. Bowls 4000 acres, who was to settle it with 40 men; to Captain Wm. Clayborne 5000 acres, who was to settle it with 50 men, and to Mr. Muskery 5000 acres, who was to settle it with 50 men.



SIR EDMUND PLOWDEN'S ARMS.

According to Evelyn's account of New Albion, a splendid palatinate was projected—the banks of the Delaware were set off into manors—all the earl's children received titles, and a chivalric order was instituted under the imposing name of The Albion Knights of the Conversion of the twenty-three Kings. His grant as we have shown, embraced all of the territory now comprised within New Jersey, regardless of the prior grant of a large portion thereof, to the New England Company, all of Delaware, and parts of Maryland, Pennsylvania and New York. By the liberal grant which Plowden procured from his sympathetic monarch, he was invested with the title of Earl Palatine, which drew after it very great privileges to the grantee; for Bracton, "the ancientest of lawyers," as Plantagenet calls him, defines an Earl Palatine to be one who has regal power in all things, save allegiance to the king. The first of the manors, called Watcessit, the earl reserved for himself. It was situated about the site of Salem, N. J., at the southern end of what Plantagenet calls "the mountless plain, which Master Evelin voucheth to be twenty miles broad and thirty long, and fifty miles washed by two fair navigable rivers; of three hundred thousand acres fit to plow and sow all corn, tobacco and flax and rice, the four staples of Albion." Three miles as was estimated from Watcessit, lay the domain of "Lady Barbara, Baroness of Richneck, the mirror of wit and beauty," adjoining Cotton River (now Alloway's Creek), "so named of six hundred pounds of cotton wilde on tree growing," says our historian; who further sets forth the value of the seat awarded to the Earl's favorite daughter, by adding that it was of "twenty-four miles compasse,

of wood, huge timber trees, and two feet black mould, much desired by the Virginians to plant tobacco." The manor of Kildorpy, at the falls of Trenton, was unappropriated. Bolalmanack, or Belvedere, on the Chesapeake shore of Delaware State, was given to Plantagenet under the lord's seal, as a reward for his pains in exploring the country.

How far this scheme was realized we cannot tell. It is said that the New Haven settlers at Salem were visited by Master Miles, who swore their officers to fealty to the Palatine before their expulsion by the Dutch and Swedes. When the Earl himself came to New Albion, in 1643, it is said he "marched, lodged and cabinned together among the Indians."

The Knights of the Conversion, composed originally of Sir Edmund Plowden, and the seven persons with whom he conferred, partook strongly of the fantastic spirit which marked the Hudi-brastic age. Whatever selfish motive might have influenced them in reality in their organization, they professed to have at heart only a desire for the conversion of the twenty-three Indian tribes living within the limits of Sir Edmund's grant. Hence upon the badge of their order we find their own and Plowden's arms, supported by the right hand of an Indian kneeling, around which are twenty-two crowned heads; the whole being enriched by the legend *Docebo iniquos vias tuas, et impii ad te convertentur*. The knight's device was a hand holding a crown upon the point of a dagger, above an open Bible; and the Palatine's arms, two flowers upon the points of an indented belt, with the legend *virtus beat sic suos*.

Of the mode intended to be pursued by these knights in proselyting the Indians, Plantagenet has left us a hint, for he tells us that any gentleman who was out of employ, and not bent to labor, might come to New Albion "and live like a devout apostolique soldier, with the sword and the word, to civilize and convert them to be his majesty's lieges, and by trading with them for furs, get his ten shillings a day," which he thought much better than contracting with the government at home "to kill Christians for five shillings a week."

But notwithstanding the "apostollic blows and knocks," which the Knights of the Conversion thus meditated for the good of their red brothers' souls, the Earl himself intended no such logic for his English subjects. He meant by an act of his parliament to require an observance of some of the fundamental creeds, but there was to be "no persecution to any dissenting, and to all such as the Walloons free chapels." The government he had projected was, excepting his own exorbitant powers, as liberal as his church. Its officers were "the Lord, head governor, a deputy-governor,

secretary of estate or seal keeper, and twelve of the council of state, or upper house; and these, or five of them, were also a court of chancery." His lower house consisted of thirty burghers freely chosen, who were to meet the lords in Parliament annually on the tenth of November, to legislate for the palatinate. Any lawsuit under forty shillings, or one hundred pounds of tobacco in value, was to be "ended by the next justice at one shilling charge." The jurisdiction of the county courts, consisted of four justices, and meeting every two months, began at ten pounds sterling, or fifteen hundred weight of tobacco; and the costs of no case tried herein were to exceed four shillings. Appeals lay from these courts first to chancery and then to parliament; and our author concludes



THE MEDAL AND RIBBON OF THE ALBION KNIGHTS.

his exposition of the Earl's judiciary by saying: "Here are no jeofails nor demurers; but a summary hearing and a sheriff, and clerk of court with small fees, and all for the most part in a few words."

After the dispersion of the New Albion subjects (as Plantagenet claims the settlers on Varcken's Kill, in 1642, to have been) the land embraced in their purchase of the Indians was the cause of much controversy between the Dutch governor of New Amsterdam, and the commissioners of the united colonies of New England. On the 15th of September, 1650, all difficulties were apparently removed by a treaty concluded at Hartford, between Stuyvesant and the said commissioners, by which it was agreed "to leave both parties in

statu quo prius, to plead and improve their just interests at Delaware, for planting or trading as they shall see cause."¹

Having failed to induce the emigration of the "viscounts, barons, baronets, knights, gentlemen, merchants, adventurers and planters" to the hopeful colony, and having studied minutely the character and peculiarities of his twenty-three kings, and as Watcessit had fallen, and disgusted with the treachery of the men he had loaded with titles and promises, Sir Edmund Plowden determined to return to England. In the summer of 1648 he visited Boston on his return home. Governor Winthrop in his journal writes: "Here, arrived one Sir Edmund Plowden who had been in Virginia about seven [six] years. He came first with a patent of a County Palatine for Delaware Bay; but wanting a pilot for that place, he went to Virginia, and there having lost the estate he brought over, and all his people scattered from him; he came hither to return to England for supply, intending to return and plant Delaware, if he could get sufficient strength to dispossess the Swedes."

Arriving in England, Plowden determined to make another effort to stock the country with settlers. Accordingly "A Description of the Province of New Albion" was issued, and on Tuesday, June 11, 1650, a pass was granted for about "seven-score persons, men, women and children to go to New Albion," but there is no evidence that the party ever sailed. The effort to awaken an interest in New Albion failed, and when the Dutch Commissioners, in the fall of 1659, visited Secretary Philip Calvert in Maryland, they argued that Lord Baltimore had no more right to the Delaware River than "Sir Edmund Plowden, in former time would make us believe he hath unto, when it was afterward did prove, and was found out that he only subaptiff and obreptiff hath something obtained to that purpose which was invalid." To this it was replied by Calvert "That Plowden had no commission, and lay in jail in England on account of his debts; that he had solicited a patent for Novum Albium from the king, but it was refused him, and he thereupon applied to the Vice Roy of Ireland, from whom he had obtained a patent, but that it was of no value."

Plowden signed his will on the 29th of July, 1655, in which he styles himself "Sir Edmund Plowden, Lord Earl Palatinate, Governor and Captain-General of New Albion in North America," and devised his possessions in America to his son Thomas, and made William Mason, Esq., of Gray's Inn, his trustee. He directed that his body should be buried in Ledbury Church in Salop, with "brasse plates of my eightene children had affixed to the said monument at thirty or forty powndes

charges, together with my perfect pedigree as is drawne at my house."²

In his will which was proved July 27, 1659, he says he "resided six" years in New Albion. Sir Edmund Plowden's son Thomas died in 1698, and in his will which was signed on the 16th of May, and proved on the 10th of September, 1698, he bequeathed to his wife New Albion, the patent of which he said had been wrongfully detained for years to his great loss and hindrance, by his son-in-law Andrew Wall, of Ludshott, in the county of Southton.³

Before the War for Independence Charles Varlo, of London, purchased one-third of the charter of New Albion, and spared no expense to secure the property, by registering his title deeds under the great seal of London. He also sent printed copies of the charter to be distributed among the inhabitants of East and West Jersey. After the close of the Revolution, in May, 1784, Mr. Varlo secured an appointment as governor of the province of New Albion, and embarked with his family for America. He took steps to recover the estate by a suit in chancery, and pursued other measures but failed, and after the expenditure of much time and treasure—he returned to Europe. He there petitioned to the king but received no answer. He then applied to the treasury to secure compensation which was then usually paid to loyalists, but he failed to obtain redress because there was no act of Parliament authorizing his special payment. He then sought the Prince of Wales to use his influence with the king to make some "restitution for the heavy losses I have had, in perusing an unconstitutional act, arising from a crowned act." In all these efforts Mr. Varlo failed, and upon the acknowledgment of the independence of the colonies as free and independent states, all the rights of the heirs of Sir Edmund Plowden were swallowed up by the occupants of the territory.

CHAPTER VII.

DELAWARE UNDER THE DUTCH.

AFTER the conquest of the Swedish settlements on the Delaware, Director Stuyvesant left for New Amsterdam, leaving the administration of justice and the superintendence of public interests in the

¹ A writer in the first series, 4th volume, of *London Notes and Queries*, asserts "that Sir Edmund died at Wanstead, County of Southampton, in possession of large estates in eleven parishes of England, and that to each of these parishes by his will, A.D. 1655, he left money [£40 apiece] to be paid eight days after his demise, and directs to be buried in the chapel of the Plowdens at Lydbury, in Salop, and a stone monument with an inscription in brass bearing the name of his children, and another with his correct pedigree, as drawn out in his house at Wanstead."

² *Pennsylvania Magazine*, Vol. VII., page 32.

³ *Reminiscences of Old Gloucester*, N. J., by Isaac Mickie, page 23.

hands of John Paul Jacquet, who he afterwards confirmed as vice-director. Andries Hudde was made secretary and surveyor, and Elmerhuysen Klein counselor. These three officers, with two of the "most expert freemen," were to form the Court of Civil Justice. Fort Casimir, now regaining its original name, was to be the seat of government, above which no trading vessels were to go, unless they received a permit. In the settlement of the country, the colonists were to concentrate themselves in families of sixteen to twenty in number, and were to pay annually for their lands twelve stivers a morgen in lieu of tenths. The town lots were forty feet by fifty, and the streets from four to five rods in breadth.¹ The Swedes were to be closely watched, and if any should be found disaffected, they were to be sent away "with all imaginable civility," and, if possible, be induced to come to Manhattan. The vice-director was also required to "maintain and protect the Reformed religion, as it is learned and taught in this country, in conformity to the Word of God and the Synod of Dordrecht, and to promote it as far as his power may extend." The whole number of inhabitants consisted, at the time, of about a dozen families. Police regulations were adopted, and a liberal commercial treaty was arranged with the Indians with the assistance of the inhabitants.

New Sweden ceased to be the name of the territory, as it was now part of the Dutch territories of New Netherlands, and went by that name. The Delaware River was called the South River.

Meanwhile, information reached the States General, through their ambassador at the Court of London, of the fall of Fort Christina, and of the expulsion of the Swedes from the Delaware. The Swedish government remonstrated with their High Mightinesses at Amsterdam, but the protest was of no avail. The Swedes could not follow up their protests with a sufficient force to command respect, for "they had their hands full" of the war they were then waging against Poland. On May 26, 1656, the Directors communicated to Stuyvesant their approbation of his conduct, "though they should not have been displeased had such a formal capitulation not taken place;" for "what is written is too long preserved, and may be produced when not desired, whereas words not recorded are in the lapse of time forgotten, or may be explained away."

The Dutch West India Company being much in debt, caused by its operations in Brazil and Guinea, now became embarrassed by the aid it extended Stuyvesant in recovering South River. In order to liquidate the debt which the company owed to

the city of Amsterdam for the aid which that city afforded in the expulsion of the Swedes, and to strengthen the southern boundaries of New Netherland, it proposed to cede Fort Casimir and a proportionate tract in its vicinity to the Burgomasters of Amsterdam." Conferences followed, the result of which was that the above fort, with all the country from the west side of the Minquas, or Christina Kill, to the mouth of the Delaware Bay (named "Boomtye's Hoenck" by the Dutch, now corrupted into "Bombay Hook," and Canaresse by the Indians), inclusive, and so far as the Minquas land extended, became, with the Company's rights and privileges, the property of the city of Amsterdam, and was erected into a colony of the first class, under the title of Nieuwer Amstel, named after one of the suburbs belonging to the city, between the River Amstel and the Haerlem Sea. Six commissaries were appointed by the Burgomasters to manage the colony, who were "to sit and hold their meetings at the West India House on Tuesdays and Thursdays." A set of "conditions" was drawn up, offering a free passage to colonists,



SEAL OF NEW NETHERLANDS, 1655-1664.

lands on the river side for their residence, and provisions and clothing for one year. The city engaged to send out "a proper person for a schoolmaster, who shall also read the holy Scriptures in public and set the Psalms." The municipal government was to be regulated "in the same manner as here in Amsterdam. The colonists were to be exempted from taxation for ten years; after that time they should not "be taxed higher than those who are taxed lowest in any other district under the government of the West India Company in New Netherland." Specific regulations were adopted with respect to trade; and besides the recognitions payable to the West India Company on goods exported from Holland, four per centum was to be paid in New Netherland.

All these arrangements were ratified and confirmed by the States General, upon condition that a church should be organized and a clergyman established as soon as there were two hundred in-

¹ This laying out of lots was the beginning of the town of New Amstel, now New Castle. For a long time it was the most important town on the banks of the Delaware. On the 5th of February, 1666, Jacobus Crable presented a petition to the Council "respecting a plantation near the corner, where brick and stone are made and baked."

habitants in the colony. Preparations were immediately made to organize the colony, of which Jacob Alrichs, an uncle of Beck, the vice-director at Curacao, was appointed director. Martin Kregier, of New Amsterdam, upon Stuyvesant's "good report," was commissioned as captain of a company of sixty soldiers, and Alexander d'Hinoyossa, who had formerly served in Brazil, was made lieutenant. Ordinances were also passed requiring the colonists to take an oath of allegiance to the States General, the burgomasters of Amsterdam, and the director and council of New Netherland, and likewise to promise faithfully to observe the articles which defined their duties and obligations to the city. These, among other things, required them to remain four years at New Amstel, unless they gave satisfactory reasons for leaving, or repaid, within the proper time, the expenses incurred on their account.

The West India Company informed Stuyvesant of all these arrangements, and instructed him to transfer the territory which the city had purchased to Alrichs on his arrival in New Netherland. At Forts Christina and New Gottenburg, "now called by us Altona and the island of Kattenberg," he was to maintain for the present a small garrison. "The confidence which we feel," they added, "about the success and increase of this new colony, and of which we hope to see some prominent features next spring, when, to all appearance, large numbers of the exiled Waldenses, who shall be warned, will flock thither as to an asylum, induces us to send you orders to endeavor to purchase, before it can be accomplished by any other nation, all that tract of land situated between the South River and the Hook of the North River, to provide establishments for these emigrants."¹

About 167 colonists embarked on December 25, 1656, in the ships "Prince Maurice," the "Bear," and the "Flower of Guelder," and set sail from the Texel for South River. The emigrants, after suffering many discomforts, arrived in the South River early in 1657. Alrichs' arrival on April 21, terminated the official career of Jacquet. Upon his return to Manhattan on account of this misgovernment, he was arrested and prosecuted.

In a few days after the arrival of the first colonists, Stuyvesant, in obedience to the orders of the Dutch West India Company, formally transferred to Alrichs "the Fort of Casimir, now named New Amstel, with all the lands dependent on it, in conformity with our first purchase from and transfer by the natives to us on the 19th of July, 1651." Upon his arrival at Fort Casimir, Alrichs received from Jacquet a surrender of his authority, and the colony of New Amstel was formally organized. The region north of Christina Kill remained under the jurisdiction of the West India Company, in

obedience to whose orders the name of Fort Christina was changed to that of "Altona."

During the few months of Alrichs' directorship, New Amstel prospered. The municipal government was remodeled, the town was laid out, buildings were rapidly erected, a bridge was placed over the creek near Fort Casimir, a magazine erected, the fort repaired, a guard house, bake house and forge built, together with residences for the clergymen and other public officers;² industry promised success, and thirty families were tempted to emigrate from Manhattan to the flourishing colony on South River.³ At the end of the first year, New Amstel was "a goodly town of about 100 houses!"⁴

An inevitable consequence, however, of the establishment of the city's colony was the increase of smuggling. Large quantities of furs were exported without payment of duties, which caused the regular traders to complain, and the revenue suffered severely. To remedy these irregularities, at his suggestion, Director-General Stuyvesant was sent by the council of New Amsterdam, in company with Peter Tonneman, to South River. On his arrival at Altona, the Swedes were called upon to take the oath of allegiance which was required of all the other colonists, and they were allowed to choose their own officers. Upon his return to New Amsterdam, Stuyvesant informed the council that "many things are there not as they ought to be," and to maintain the rights of the company he appointed William Beekman Vice Director of that district. His instructions required him to live at first at Altona, but to have his permanent residence at or near New Amstel, where he could more conveniently attend to the collection of the revenue. He was invested with all the powers of the company on the whole of the South River, except the district of New Amstel, and was bound to maintain the Reformed religion.

The prosperity of New Amstel had, meanwhile, become clouded. The colonists had planted in hope; but heavy rains setting in, their harvest was

¹ A city-hall for the burghers was also erected. It was a log building, two stories high, and twenty feet square. The whole of the buildings were inclosed within a square.

² Salt works are referred to in the records at this period. Forty cows were, at the same time, introduced in the colony, which were purchased by Alrichs at prices ranging from one hundred and twenty-eight to one hundred and thirty guilders per head, or about \$78.80 each.

³ Alrichs, in one of his letters, thus speaks of the government of New Amstel, before and after his arrival: "I found the government to consist of a military council over the soldiers, who were here of old. The differences between the old settlers, who consisted of about twelve or thirteen families, were decided by the commander and two persons acting as *schepens*, and a secretary appointed from among the inhabitants, by the general, on the part of the West India Company. These expressed a desire, now that the place had changed hands, that a burgher-like government should be continued, according to the conditions, as it was under the director-general and the West India Company; so it was, and they continued to decide all differences between burgher and burgher. All affairs appertaining to the city and military matters were disposed of by me and the council, and differences between the city's servants, soldiers, trainbands and freemen, until the arrival of the "Balance," (this day,) when seven city councillors were elected, and from them three new *schepens* were chosen; another secretary and school were also appointed, two elders and two deacons, for the management of church affairs." - *Hol. Doc.* quoted in note by O'Call. Vol. II., p. 337.

¹ Broadhead's History of New York, vol. I, p. 631.

ruined, and food became scarce and dear. An epidemic fever broke out; the surgeon and many children died; and most of the inhabitants suffered from a climate to which they were not accustomed. While the disease was yet raging, the ship "Mill" arrived from Holland, after a disastrous voyage, bringing many new emigrants, among whom were several children from the Orphan House at Amsterdam. The population of New Amstel now exceeded six hundred; but its inhabitants were "without bread," and the ship which brought the new emigrants brought no supply of provisions. Industry was crippled, while wages advanced. Commissary Rynvelt and many "respectable" inhabitants perished, and a long winter stared the famished survivors in the face.

On the 25th of April, 1658, Evert Pieterse, whose official position was that of schoolmaster and comforter of the sick, landed at New Amstel. He is the first schoolmaster of whom there is any record on the Delaware. He at once commenced keeping school, and had twenty-five scholars on the 10th of August following. In a letter of his to the Commissioners of Amsterdam, he states that "wharves were already laid out" at New Amstel, "and almost built." He also says that he "found twenty families, mostly Swedes," in the City's Colony (that portion of Delaware south of the Christina), "and not more than five or six belonging to our (the Dutch) nation."

New Amstel was in deep distress early in 1659. Disease and famine had almost decimated its population, and the heat of the summer had enfeebled the unacclimated survivors. The wife of Alrichs was one of the victims. Everyone had been occupied in building houses and in preparing gardens, so that little grain was sown; and the emigrants from Holland brought very scanty supplies of provisions. "Our bread magazine, our pantry room, our only refuge is to Manhattan," wrote the desponding Alrichs to Stuyvesant. The conditions of settlement were also altered at this time by the burgomasters of Amsterdam, which only added difficulties to the colony. The despairing colonists began to leave South River, the soldiers of the garrison deserted, and took refuge in Virginia and Maryland. To add to the alarm of the distressed settlers, intelligence was received that the English in Maryland claimed the property on South River, and that persons would soon be sent to claim possession. The panic caused by the last report had not had time to subside before Col. Nathaniel Utie with a suite of six persons from Maryland arrived. He spent some days in sowing "seditious and mutinous seed among the community," and finally peremptorily commanded the Dutch to leave South River, or else declare themselves subject to Lord Baltimore.

Two days afterward, Lord Baltimore's agents

returned to Maryland, and rumors soon spread that five hundred men were to march upon the South River. Messengers were despatched to New Amsterdam for re-enforcements and Director General Stuyvesant sent overland sixty soldiers under the command of Captain Kreiger, who, with Secretary Van Ruyven, was commissioned to act as general agents for the service of the company. August Heermans and Resolved Waldron, were also despatched on an embassy to the government of Maryland, to settle the difficulties. They proceeded, with a small escort, from New Amstel, and after many embarrassing adventures, arrived in a week at Patuxent. After being hospitably entertained, and meeting Governor Fendall and his council, and Secretary Calvert, and discussing the merits of the respective claims to the property in dispute, the commissioners returned, having failed in their mission.

Pending these discussions, anxiety and alarm prevailed among the Dutch colonists; business was suspended, and every one prepared for flight. Within a fortnight, fifty persons, including several families, removed to Maryland and Virginia. Scarcely thirty families remained at New Amstel. The colony was overwhelmed with debt; of the soldiers who had been sent out from Holland, but five remained at the Horekills, and ten at New Amstel. At the close of the year 1659, the inhabited part of the colony of the South River did not extend beyond two Dutch miles from the fort.¹ In the midst of these troubles, vice-director Alrichs died, having intrusted the government to Alexander D'Hinoyossa, with Gerrit Van Sweringen and Cornelis Van Gezel as councillors. On assuming the government of New Amstel in January, 1660, Hinoyossa, by his indiscreet conduct, produced

¹ About this time one of the Swedish ministers attempted to preach in the City's Colony—in the town of New Amstel. The commissioners of the colony would not permit this on account of the difference between the religious faiths of the Dutch and Swedes. In a letter to Alrichs they say: "The bold undertaking of the Swedish priest to preach in the colony without permission does not greatly please us. No other religion but the reformed can or may be tolerated there, so you must, by proper means, put an end to prevent such presumption on the part of other sectaries."

In a letter dated August 16th, to the Commissioners at Amsterdam, Alrichs gives the following unflattering account of the settlers at New Amstel.

"In the 'Prince Maurice,'" said he, "were 35 colonists, free handicraft's men amongst them some workmen, but the major part tradesmen, who did not learn their trades very well, and ran away from their masters too early, in consequence of their own viciousness. Also 47 soldiers, 10 civil servants, 70 women, children and maid servants. Those who arrived in the vessels 'De Waig,' 'De Sonne,' 'De Muelen' were of no good repute, scarcely three good farmers among the whole lot. The total was 137 tradesmen and servants, 70 soldiers and civil servants, 300 women and children, and the maid servants of the married women and children, &c., who came here as single women.

The wages for labor, at this time, on the Delaware, according to Alrichs' letters, were, for laborers, three guilders a day; for mechanics, four guilders a day.

In 1660 the following mechanics were employed at New Amstel. They are the first named as following these trades in this State, viz.: Andries Andriessen, a carpenter; Theunis Servaes, of Harlem, a cooper; Cornelius Theunissen, a smith; William Van Raesenberg, a surgeon; Thys Jacobsen, a boy working at carpentering with Andries Andriessen; he is the first carpenter's apprentice recorded. There were also Joost, of Amsterdam, and Antony Willimsen, of Vreedlandt, masons.

great discords, which were increased when news of the proposed retransfer of the colony to the West India Company reached the South River. With Beekman his relations were scarcely pleasant; and complaints were constantly made to New Amsterdam of his haughty and insolent demeanor, and his contempt of the provincial regulations respecting the sale of liquors to the savages.

The hostile attitude of the Maryland authorities had, in the mean time, been under the consideration of the Amsterdam directors, who ordered Stuyvesant to oppose their encroachments, "first warning them in a civil manner not to usurp our territory; but if they despise such kind entreaties, then nothing is left but to drive them from there, as our claims and rights on the lands upon South River are indisputable." But while the company was thus strenuous in asserting its territorial rights to the whole South River, it declined to receive back from the city of Amsterdam the colony of New Amstel; and the city's commissaries, obliged to continue their reluctant support, appointed Hinoyossa director in place of Alrichs.¹

In 1661, public attention was drawn toward the South River, and various plans of emigration were proposed. Finally, a colony of Mennonists, or Anabaptists, established themselves at the Horekill. Pieter Cornelis Ploekhoey was principal leader of the colony.²

The Dutch West India Company, seeing the impossibility of its colonial enterprise on the South River, proposed favorable terms to the city of Amsterdam for the surrender of "the whole of the Delaware from the sea upwards as far as the river reached, with the territory on the east side, three Dutch miles into the interior, and on the west as far as the country extended toward the English, saving the rights of the settlers and proprietors in the neighborhood." After formal, and somewhat lengthy negotiations, it was at length determined, on the 12th of February, 1663, that the Company should confer on the city the entire South or Delaware River. By this grant, the "high and low jurisdiction" which the city of Amsterdam possessed formerly over the colony of New Amstel alone was now extended over the whole territory on the river. The formal transfer of the territory on the Delaware to the city of Amsterdam did not take place until December 22, 1663, when a deed

for the whole territory was executed by Stuyvesant to Alexander D'Hinoyossa, who became sole commandant, or vice-director; and William Beekman, left without position on the Delaware, was afterwards appointed Sheriff or Schout of a district on the North River.

In the meantime Hinoyossa, who had arrived at Amsterdam, induced the burgomasters to appropriate large sums of money for the vigorous prosecution of the work of colonization. He represented the Maryland authorities, with whom he had communicated, as anxious to promote intercolonial commerce; that the Swedes, Finns and others had already one hundred and ten plantations, and thousands of cattle and swine, besides horses and sheep; that the city had already two or three breweries, and more were wanted to supply the English with beer, who, in return, could furnish a thousand tubs of tobacco a year; and that ten thousand furs and other articles could be annually procured from the Indians, and exported from the colony. These representations had their effect. The next month Hinoyossa set sail for the South River with about one hundred and fifty colonists, and arrangements were made to dispatch another ship. Not long afterwards he arrived, and Beekman, in obedience to the company's orders, immediately recognized him as chief of the Dutch on the South River. His administration, however, was of short duration, extending from December 28, 1663 to October 1, 1664. During this limited period, arrangements were made for extending the fur and tobacco trade; a governmental revenue was provided for by the imposition of a tax on imported goods, and upon tobacco and furs exported, and to prevent trouble from savage excess, the brewing and distilling of liquors was prohibited in the colony.

The relations between the English in Maryland and the Dutch on the Delaware during all this time were far from being harmonious. Hardly had Charles II. reached the throne of England, before Lord Baltimore instructed Captain James Neale, his agent in Holland, to require of the West India Company to yield up to him the lands on the south side of the Delaware. Neale, accordingly, made a formal demand for the surrender of New Amstel, and informed the directors that Lord Baltimore would use all lawful means to defend his rights and subject the Dutch to his authority. The Amsterdam Chamber referred the question to the College of the XIX. who resolved, on Sept. 1, 1660, that they would defend their rights with "all the means which God and nature had given them."

Doubts had, meanwhile arisen in the council of Maryland, whether New Amstel was really within the limits of that province, and all further demonstrations were delayed until Lord Baltimore obtained from the king a confirmation of his

¹ Broadhead's History of New York, vol. 1, p. 682.

² The association was to consist of married males and single men who had attained the age of twenty four years, who were not bound to service or indebted to the association. No superiority or office was to be sought for; but all persons were to obey the ordinances for the "maintenance of peace and concord." No minister of the gospel was to be allowed in the association; for being composed of persons of various religious opinions, no one minister could preach in accordance with the sentiments of the whole of their community, and to get one of each sect, it was argued, would not only be impossible, "but an inevitable pest to all peace and union." The number that agreed to settle was thirty-five men. The city of Amsterdam agreed to loan each of them one hundred guilders. The whole community were to be secured for this loan. Thus every man was surety for all the rest.

patent. Pending these proceedings, the two colonies concluded a treaty of peace with the Indians at the head of Apoquinnimy creek. The Marylanders, at the same time, proposed to deliver two or three thousand hogsheads of tobacco annually to the Dutch in return for negroes and merchandise.

In 1663, news came that the heir of Lord Baltimore was about to visit Altona, and Beekman, finding that "here on the river not a single draught of French wine is obtainable," requested Stuyvesant to send him some from Manhattan, "to treat the nobleman with." The next month, Lord Baltimore's son, Charles Calvert, came to New Amstel and Altona with a suite of twenty-six or twenty-seven persons. Beekman entertained him, not as a proprietary, but as a guest, and their intercourse was pleasant and harmonious. In conjunction with Van Sweringen, the schout of New Amstel, Calvert renewed the treaty with the savages, but when it was proposed to define the limits of the two colonies, he replied that he would communicate with Lord Baltimore. The young nobleman took leave of his Dutch hosts in all good feeling, and proposing to visit Boston the next spring, by way of Manhattan, he desired Beekman to convey his thanks to Stuyvesant for his "offer of convoy and horses."¹

¹ Breadhead's History of New York, vol. 1, p. 717.

In the early part of June a battle took place between the Minqua and Seneca Indians. "The Senecas, to the number of eight hundred, blockaded the Minquas in their fort whilst a large proportion of their numbers were out hunting. When the Senecas approached, three or four men were dispatched to the fort with the offer of peace, while their force remained at a distance; but a Minqua returning from hunting discovered the Senecas, so that the next day those in the fort concluded to meet them with twenty or thirty men. The other Minquas at the same time, with their forces, made an attack, put the Senecas to flight, and pursued them for two days, retaking ten persons and killing ten Senecas." The Governor of Maryland assisted the Minquas with two cannon and four men to manage them. The accounts of this battle handed down to us are confused. It is more than probable the assistance rendered by the Marylanders contributed to the Minqua victory. The site of the battle is not definitely known; but it is supposed to have been within the limits of the State,—probably in the neighborhood of Iron or Chestnut Hill, near Newark, as the Minqua fort was situated on a high mountain. These hills answer best to the description given by Campanius as the site of the Minqua stronghold.

On the South River at this time, according to the report of the Commissioners of the city of Amsterdam, the Swedes, Finns and other nations had established about 110 good boweries or farms, which had a stock of 2000 cows and oxen, 20 horses, 80 sheep, and several thousand swine. It was recommended that no Hollander should be employed in agriculture; but that Swedes, Finns and other foreign nations should be induced to emigrate to the South River for that purpose. The city was to offer to lend such people sufficient to pay their passage and purchase agricultural implements. Most of the emigrants who arrived in the "Farmeland Church" with D'Hinoyones were Swedes and Finns, who were aided by the city of Amsterdam in this manner.

The Dutch of the Delaware at this time brewed a great deal of strong beer, which was sold to the Marylanders (who did not manufacture any) for tobacco.

On the 4th of November, Andreas Hudde, who figured so prominently in the early part of our history, died at Apoquinnimy, which was then the name of Apoquinnimink. He had been a faithful servant of the Dutch for many years, and his services were appreciated by them; but he had been robbed and all his property destroyed by the Indians, and he had sunk from the position of commissary, or governor, to that of clerk. He petitioned for his discharge as clerk, and it being granted, had left Altona on the 1st of November, and was going by the way of Apoquinnimy to Maryland, where he intended engaging in the brewing business; but he died before he reached there of an "ardent fever." His first service under the Dutch was as surveyor at Manhattan, 1642, from which station he was removed; in 1645 he was commissary at Fort

The circumstances which led to the overthrow of the Dutch in the New Netherlands, do not demand any long recital. The facts are few, and there is no stirring episode in connection with them. No revolution could have been more tame, no transfer of an empire more apathetic. The Dutch had always had the sagacity to know that the English were their worst enemies in this continent. New Netherland lay like a wedge between Virginia and New England, separating and weakening those colonies, while at the same time it kept both from access to the best soils, the most desirable and salubrious climates, and the boldest navigable waters in America. From the time of Lord Baltimore's settlement on the Chesapeake (1634), the pressure which the Dutch felt so much upon their eastern frontier was repeated with an added strain on the southern. Baltimore's charter called for all the land north of the Potomac and south of the fortieth parallel. This line would have included the present site of Philadelphia, and Baltimore was urgent in asserting his claim. As has been stated, he sent Col. Nathaniel Utie to New Amstel (now New Castle) to give notice of his rights and how he meant to enforce them, and his ambassador went among the simple-hearted, timid Dutch and Swedes like a hectoring constable armed with a distraint warrant. Utie and others assisted the Indians who were at war with those tribes who were clients and allies of the Dutch, and Fendall and Calvert repeatedly made it appear that they meant to invade the South River colony and overthrow the Dutch power, either by sailing in at the mouth of the Delaware or by an invasion overland by way of Elk River. So great was the pressure put upon them that the Dutch abandoned their settlements about the Horekills, and withdrew farther up the bay. As a further precaution, and to erect "a wall between them and the English of Maryland," the Dutch West India Company, as we have shown, ceded to the city of Amsterdam, to which it owed heavy debts, its entire jurisdiction over the South River colony.

But the English to be dreaded did not live in the colonies but at home. The Stuarts were in power again, and so greedy were they and their followers, after their long fast during the period of the Commonwealth and the Protectorate, that England, though clean stripped, did not furnish spoils enough to "go round." Charles II., moreover, had no liking for the Dutch, and it had already become the policy of Great Britain to obtain control of the North American continent. On March 12, 1664 (O.S.), the king granted to his brother James, Duke of York and Albany (afterwards King James II.), a patent for all the land embraced between the St. Croix River on the north

Nassau, since which time he had been identified with the Dutch on South River.—*Vincent's History of Delaware*, pp. 402, 403-409.

and the Delaware Bay on the south. This covered all of New England, New York, and New Jersey, but it did not include the west side of the Delaware River and Bay, showing clearly that the king respected his father's charter conveying this territory to Calvert. All of the land granted by this patent, from the St. Croix River to the Passaic, had been previously conceded to the Plymouth or North Virginia Company by King James I. The duke, in July, sold or granted the territory between the Hudson and Delaware Rivers—the whole of New Jersey, in fact—to Lord Berkeley and Sir George Carteret. War between the English and Dutch broke out two months after the Duke of York received his patent, and the latter, who was lord high admiral of the British navy, at once (May 25, O. S.) fitted out an expedition to capture the New Netherlands—in other words, to take possession of the country patented to him by his brother. The expedition, consisting of four vessels, with one hundred and twelve guns and three hundred soldiers, besides the ships' crews, was under command of Col. Richard Nicholls, who was accompanied by Sir Robert Carr, Kt., George Cartwright, and Samuel Maverick, commissioners to the several English colonies to hear complaints, redress grievances, and settle the "peace and security of the country." Their instructions bound them first to reduce the Dutch colonies, as the fountain of sedition and sanctuary of discontent and mutiny, to "an entire obedience." The massacres of Amboyna were cited in proof that the Dutch were not fit to be intrusted with great power, and it was declared to be "high time to put them without a capacity of doing the same mischief in America, by reducing them to the same rule and obedience with the English subjects there." Submission to English authority was all that was to be required of them, and no man who submitted was to be "disturbed or removed from what he possessed."

The Dutch, both at home and in New Netherland, were acquainted with the expedition and its objects, but took no real measures of defense. The first vessel of the expedition arrived at the outer bay of New Amsterdam August 25th, and a proclamation was at once issued, offering protection to all who submitted. Stuyvesant repaired the walls of his fort, but he could not rally the people to reinforce the garrison. They would not leave their villages and boueries, their wives and children, upon any such venture. On the 30th, Col. Nicholls demanded the surrender of the fort and island, replying to Stuyvesant's commissioners that he was not there to argue questions of title, but to obey orders, and the place must surrender to him without debate, or he would find means to compel it to do so. Stuyvesant was still disposed to argue, to temporize, to fight if he could, but the frigate

ran up alongside the fort, broadside on, and demanded an immediate surrender. The people assembled in town-meeting and declared their helplessness, the dominies and the old women laid siege to Stuyvesant, and on the 9th of September, 1664, New Amsterdam surrendered, the Dutch marching out of their fort with all their arms, drums beating, and colors flying. The terms of the capitulation were very liberal, considering that no defense was possible. In fact, the English did not want any war. They sought territory, and they knew that that takes half its value from being in a pacific state.

After arranging affairs at New Amsterdam, the name of which was now changed to New York, Sir Robert Carr, with two frigates and some soldiers, was sent to the Delaware to receive the submission of the Dutch there. They reached New Amstel on September 30th. The inhabitants at once yielded, but the truculent D'Hinoyossa, with Alrichs and Van Sweringen, threw himself into the fort, and declined to come to terms. Carr landed some troops, made his frigates pour two broadsides into the fortress, and then incontinently took it by storm, the Dutch losing three men killed and ten wounded, the English none. The result of D'Hinoyossa's foolhardiness was the sack of the fort, the plunder of the town, the confiscation of the governor's property, as well as that of several of his supporters, and the selling of the Dutch soldiers into Virginia as slaves. A good many negro slaves also were confiscated and sold, a cargo of nearly three hundred of these unhappy beings having just landed at South Amboy and been run across the Delaware with the idea of escaping the English in New York. The name of New Amstel was changed to New Castle, and D'Hinoyossa retired to Maryland, where he was naturalized and lived for several years in Talbot County, but finally finding he could not recover his property, which had been taken by Carr and others, he returned to Holland, entered the Dutch army, and fought in the wars against Louis XIV.¹

¹ Vincent says: "After the capture of the town and fort of New Amstel a general scene of plunder took place. All the soldiers and many of the citizens of New Amstel were sold as slaves to Virginia (for white slavery or forced service then existed, as well as black). The negroes brought by the 'Gideon' and run across New Jersey by Alrichs were forfeited, and mostly divided among his captors, save those that the Dutch managed to conceal. Several were taken belonging to Alrichs. Eleven were returned to him some four years afterwards by Knaigh Arthur Stock as a free gift. They also took from the Dutch all the produce of the land for that year, and amongst other things were 100 sheep, 30 or 40 horses, 50 to 60 cows and oxen, a brew-house and still belonging to it, and a saw-mill ready to put up. (This is the first mention we have of a saw-mill in Delaware.) They also plundered the settlement of the Mennonites at the Hoernkill, leaving the inhabitants there (to use the words of Van Sweringen) 'not even a nail.' Stuyvesant also, in writing of this affair, says: 'That although the citizens of New Amstel made no resistance, they were striped' and 'utterly plundered.'" He also confirms the selling of the citizens and soldiers as slaves. The amount of plunder obtained amounted to £4000. Carr, notwithstanding the amount of sheep and cattle taken from the unfortunate citizens of New Amstel, in writing to Colonel Nicholls giving an account of the expedition, says: "That nothing was to be had on the Delaware but what was purchased from other places, and that to supply the wants of

In May, 1667, Nicholls was superseded by Sir Francis Lovelace as governor of the Dutch settlements on the North and South Rivers, and in July of that year peace was made between the Dutch and English on the basis of the *uti possidetis*. On the Delaware, the government remained in charge of Sir Robert Carr, with Capt. Robert Needham acting as military commander. In May, 1672, the town of New Castle was erected into a corporation, and Capt. Edmund Cantwell was appointed the first High Sheriff, and Peter Alrichs Bailiff, or chief magistrate, for the town and river. In August, 1669, some disturbance arose on the Delaware in consequence of the conduct of a Swede called "the long Finn," who gave himself out as the son of General Count Konigsmark, made seditious speeches, and tried to incite some sort of a rebellion. He is thought to have had the countenance, if not the active support, of Printz's daughter, Armgart Pappegoja. He was arrested, put in irons, tried, convicted, and sentenced to be publicly whipped, branded on the face and breast, and sent to the Barbadoes to be sold, all of which was done as set forth.

In 1673 war again broke out between the Dutch and English in consequence of the malign influence of Louis XIV. upon Charles II. The French king invaded the Netherlands with two hundred thousand men, and there was a series of desperate naval battles between the combined French and English fleets, with one hundred and fifty ships, and the Dutch fleet of seventy-five vessels, under De Ruyter and the younger Tromp. The last of these battles, fought off the Helder, resulted in the defeat of the allied squadrons, and the Prince of Orange at once

dispatched several vessels under Binckes and the gallant Evertsen to recover possession of New Netherlands. The British made but little resistance, while the Dutch welcomed their old friends. Lovelace fled, and in a few days the Dutch had resumed control of all their old provinces in North America.



GOV. ANDROSS' SEAL.

Captain Anthony Colve was made governor, but there were only a few administrative changes, though a general confiscation act was passed against the English. In 1674, February 10th (O. S.), the treaty of Westminster was signed, and peace again made between the Dutch and English, with a proviso enforcing the restitution of all countries taken during the late war. Under this treaty, the English resumed their conquests of 1664. The Duke of York's patents were renewed,

the garrison he had to send into Maryland some negroes belonging to D'Hanoyona, which he sold for 'beef, pork, and salt,' and, to use his own words, "other small conveniences," which, he said, "the place affordeth not."

and the duke appointed Sir Edmund Andross governor over the whole country from the west side of the Connecticut River to the east side of the Delaware. Andross arrived out November 10th, and at once proceeded to restore the *statu quo ante bellum* as far as he could. He was an astute, well-informed man, of good habits, with the tact of a practiced courtier, and many of the rare accomplishments of a statesman. Under his administration and that of his deputies on the Delaware, Capt. Cantwell,¹ Capt. Collier, and Christopher Billop, the settlements on the South River prospered, and grew rapidly in population, resources, and in sympathy and fellow-feeling with the other colonies.

CHAPTER VIII.

WILLIAM PENN AND HIS GOVERNMENT.

AFTER the Restoration of the Stuarts the attention of the court as well as the people of England was directed in a much larger measure than formerly to the American colonies. Men who were weary of strife, discontented with the present aspect of affairs or apprehensive of the future, sought relief and peace in emigration. The hardship of the wilderness, the perils of Indian warfare, the depressing diseases of a new climate and unbroken soil were as nothing to those in compari-

¹ Captain Edmund Cantwell and William Zorn were authorized to take possession of the fort at New Castle, and see to the preservation of all stores of war at that place, or any part of the river. The former was appointed Sheriff, or Schout, and the latter Secretary, or clerk. Both, in conjunction, were ordered to collect the quit-rents and other duties established by the English, before the coming of the Dutch. The officers of the government on the Delaware, at this time, were, therefore, as follows: Sheriff, or Schout, Captain Edmund Cantwell; Secretary, William Zorn; Magistrates of New Castle, Hans Block, John Moll, Foppo Outhont, Joseph Chew, Dirck Alberts. Magistrates on the river, Peter Cock, Peter Rambo, Israel Helme, Lars Adriaesen, Woolle Swain.

The government continued thus constituted until the 2d of September, 1676, when Cantwell and Zorn were relieved by the appointment of Captain John Collier, as Commander on Delaware River and Bay, and of Ephraim Hermans as Secretary. The following Magistrates were also commissioned: For New Castle, John Moll, Henry Ward, William Zorn, Foppo Outhont, Jean Paul Jacquett, Gerritt Otto. For the River, Peter Cock, Peter Rambo, Israel Helme, Lars Adriaesen, Woolle Swain, Otto Earnest Cock.

On the 13th of August, 1677, Captain John Collier was relieved by Governor Andross, of the command of affairs on the Delaware, by the appointment, in his place, of Captain Christopher Billop, as Chief Officer. Billop continued as Commander, or Chief Officer, on the Delaware, until the latter part of 1679, when he was removed for misconduct. We have no record of the appointment of his successor. By the Governor's proclamation, introducing the Duke of York's laws upon the Delaware; three judicial districts upon the river were also established, viz.: One at New Castle, one at Upland, and one at the Whorekill. In 1680, a fourth district was established, by a division of the Whorekill, which was called St. Jones. *Duke of York's Book of Laws*, pp. 454, 455, 457.

Hazard, under date of 1675, says: "It appears, from a reference on the New Castle Court Records, to 'proceedings of a court held in New Castle, March 24, 1674,' (1675,) that courts were established here as early, or perhaps prior to this date. The records are, at present, not among those at New Castle, where the earliest that we have seen are October, 1676. We have seen no evidence of courts in the time of Lovelace, though there must, no doubt, have been some legal proceedings. Courts were held 'at a place now called Troy on Jones's Creek, near Dover, for Jones's, now Kent, at Whorekill, now Lewistown, for the county of Deal, now Sussex county.'" *Annals of Pennsylvania*, p. 416.

son with the blessings of political and religious liberty secured by emigration. As far as the court was concerned, Charles wanted provinces to give way to his favorites, while his cabinets, both under Clarendon, the Cabal, and Danby, had strong political reasons for putting the colonies more immediately under the control of the crown in order to check their manifest yearning for self-government and comparative independence. Thus the representatives of prerogative were compelled likewise to give an enlarged attention to colonial affairs. The Council for Foreign Plantations was given new powers and a greater and more exalted membership in 1671, and in 1674 this separate commission was dissolved and the conduct of colonial affairs intrusted to a committee of the Privy Council itself, which was directed to sit once a week and report its proceedings to the council. This committee comprised some of the ablest of the king's councilors, and among the members were the Duke of York and the Marquis of Halifax.

William Penn, who was a great favorite with the Duke of York, and the founder of Pennsylvania and Delaware, was born in London, in St. Catharine's Parish, hard by the Tower, October 14, 1644. His father was Vice Admiral Sir William Penn; his mother Margaret Jasper, daughter of a well-to-do Rotterdam merchant. They were united June 6, 1643, when the elder Penn, though only twenty years old, had already received his commission as post-captain in the royal navy, and William was their first child. It is probable that the stories of Admiral Penn about the conquest of Jamaica and the tropical splendors of that beautiful island first turned the attention of the younger Penn to our continent.

William Penn received his first education at the free grammar-school of Chigwell, Essex, where he experienced strong religious impressions and had visions of the "Inner Light," though he as yet had never heard Fox's name mentioned. He was not a puny child, though he must have been a studious one. He delighted and excelled in field-sports, boating, running, hunting and athletic exercises. At the age of twelve he was removed from Chigwell to receive private instruction at home, and three years later entered Christ Church College, Oxford. Penn studied assiduously, he joined the "serious set," he went to hear Thomas Loe preach the new gospel of the Society of Friends, he resented the discipline which the college attempted to put upon him and his intimates in consequence, and he was expelled from the university for rejecting the surplice and rioting in the quadrangle. His father beat him, relented, and sent him to France, where he came home with the manners and dress of a courtier, but saturated with Genevan theology. He had shown in Paris

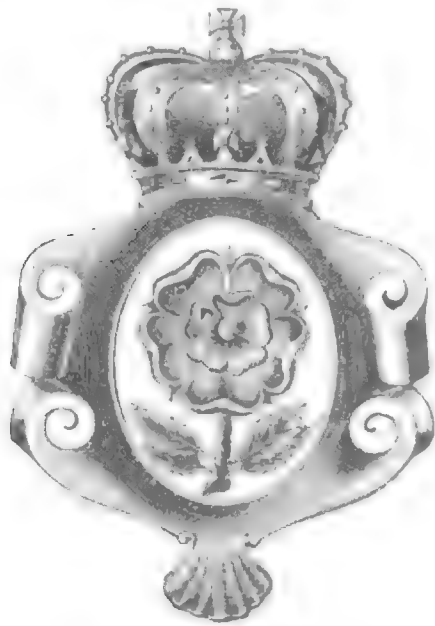
that he could use his rapier gallantly, and his father took him to sea to prove to the court, when he returned as bearer of dispatches, that he was capable of beginning the career of office. The plague of London set him again upon a train of serious thinking, and his father, to counteract this, sent him to the Duke of Ormond, at the same time giving him charge of his Irish estates. Penn danced in Dublin and fought at Carrickfergus equally well, and he even applied for a troop of horse. He was a very handsome young fellow, and armor and lace became him mightily. But at Cork he met Thomas Loe again and heard a sermon upon the text "There is a faith which overcomes the world, and there is a faith which is overcome by the world." Penn came out of this meeting a confirmed Quaker. His father recalled him, but could not break his conviction; and then again he was driven from home, but his mother still found means to supply his needs. He now joined the Quakers regularly, and became the most prominent of the followers of that singularly eccentric but singularly gifted leader of men, George Fox. Penn's affection for Fox was deep and strong. He repeatedly got "the man in the leather breeches" released from jail, and he gave him a thousand acres of land out of the first surveys made in Pennsylvania. Penn preached in public as Fox was doing, and so well that he soon found himself a prisoner in the Tower of London, where, when brought up for trial, he defended himself so ably as to prove that he could have become a great lawyer had he so chosen.

Penn married in 1672, his wife being Gulielma Springett, daughter of Sir William Springett, a lady of lovely person and sweet temper. He did not spend many weeks to his honeymoon. He was soon at his work again wrestling for the truth, and, it must be said, wrestling still more lustily as one who wrestles for victory with the oppressors of the faithful. In this cause he went to court again, resumed his relations with the Duke of York and secured that prince's influence in behalf of his persecuted sect. This semi-alliance of Penn with the duke led up directly to the settlement of Pennsylvania and Delaware. Penn realized the fact that the Friends could not escape persecution nor enjoy without taint their peculiar religious seclusion, nor could his ideal commonwealth be planted in such a society as that of Europe. It must seek new and virgin soil, where it could form its own manners and ripen its own code. Then, in 1672, came home George Fox,¹ fresh from his

¹ Hazard says, "This year [1672] the celebrated Friend, George Fox, visited this part of the country. He arrived from Jamaica, in Maryland, and, accompanied by John Burnyeat, Robert Withers and George Pattison, on their way to New England, by land, they touched at New Castle, and from thence, with much difficulty, crossed the Delaware. On their return, they again visit New Castle, swimming their horses by the sides of canoes, and underwent many difficulties. At New Castle, they met with a handsome reception from Governor Carr, and had a pretty large

journey through the wilderness and his visits to the Quaker settlements in New Jersey and Maryland, in which latter province the ancient meetings of Anne Arundel and Talbot Counties were already important gatherings of a happy people entirely free from persecutions. We may imagine how eagerly and closely Penn read Fox's journals and the letters of Edmondston, Wenlock Christison, and others about their settlements.

In 1675, when his disgust with European society and his consciousness of the impossibility to effect radical reform there had been confirmed and deepened, Penn became permanently identified with American colonial affairs, and was put in the best possible position for acquiring a full and accurate knowledge of the resources and possi-



HOUSE OF YORK.

bilities of the country between the Susquehanna and the Hudson. As has already been stated, on March 12, 1664, King Charles II. granted to his brother James, Duke of York and Albany, a patent for all the lands in New England from the St. Croix River to the Delaware. This patent, meant to lead directly up to the overthrow of the Dutch power in New Netherland, was probably also intended no less as a hostile demonstration against the New England Puritan colonies, which both the brothers hated cordially and which latterly had grown so independent and had so nearly established their own authority as to provoke more than one charge that they sought presently to abandon all allegiance due from them to the mother-country. At any rate, the New England colonies at once attempted to organize themselves into a confederacy for purposes of mutual defense against the Indians and Canadian French, as was alleged, but for divers other and weighty reasons,

meeting there, it being the first ever held in that place; thence they returned to Maryland."—*Annals of Pennsylvania*.

as many colonists did not hesitate to proclaim.¹ The Duke of York secured New York, Pennsylvania and Delaware to himself as his own private possessions. That part of New Netherland lying between the Hudson and the Delaware Rivers was forthwith (in 1664, before Nicolls sailed from Portsmouth to take New York) conveyed by the duke, by deeds of lease and release, to Lord John Berkeley and Sir George Carteret. The latter being governor of the Channel Islands at the time, the new colony was called New Jersey, or rather *Nova Cæsarea*, in the original grant. In 1675 Lord Berkeley sold, for one thousand pounds, his undivided half-share in New Jersey to John Fenwick, in trust for Edward Billinge and his assigns. Fenwick and Billinge were both Quakers, and Billinge was bankrupt. Not long after this conveyance Fenwick and Billinge fell out about the property, and, after the custom of the Friends, the dispute was submitted to arbitration. The disputants fixed upon William Penn as arbitrator. When he made his award Fenwick was not satisfied and refused to abide by Penn's decision, which, indeed, gave Fenwick only a tenth of Lord Berkeley's share in the joint tenancy, reserving the remaining nine-tenths to Billinge, but giving Fenwick a money payment besides. Penn was offended at Fenwick's recalcitrancy, and wrote him some sharp letters. "Thy days spend on," he said, "and make the best of what thou hast. Thy grandchildren may be in the other world before the land thou hast allotted will be employed." Penn stuck to his decision, and, for that matter, Fenwick likewise maintained his grievance. He sailed for the Delaware at the head of a colony, landed at Salem, N. J., and commenced a settlement. Here he carried matters with such a high hand, patenting land, distributing office, etc., that he made great trouble for himself and others also. His authority was not recognized, and for several years the name of Major John Fenwick fills a large place in the court records of New Castle, Upland, and New York, where he was frequently imprisoned and sued for damages by many injured persons.

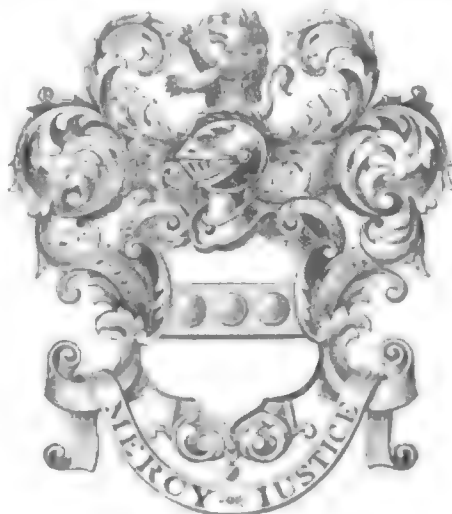
Billinge's business embarrassments increasing he made over his interest in the territory to his creditors, appointing Penn, with Gawen Lawrie, of London, and Nicholas Lucas, of Hertford, two of the creditors, as trustees in the matter. The plan was not to sell, but to improve the property for the benefit of the creditors. To this end a partition of the province was made, a line being drawn through Little Egg Harbor to a point

¹This was a revival of the old New England confederacy of 1643, of late crippled and made ineffective by inter-colonial dissensions. It finally fell to pieces through the destruction of local self-government and the substitution of royal governors in the New England colonies between 1664 and 1684. See Richard Frothingham's "Rise of the Republic," chap. ii.

near where Port Jervis now is. The part of the province on the right of this line, called East New Jersey, the most settled portion of the territory, was assigned to Carteret. That on the left, West New Jersey, was deeded to Billinge's trustees. A form of government was at once established for West Jersey, in which Penn's hand is distinctly seen. The basis was liberty of person and conscience, "the power in the people," local self-government and amelioration of the criminal code. The territory was next divided into one hundred parts, ten being assigned to Fenwick and ninety to Billinge's trustees, and the land was opened for sale and occupancy, being extensively advertised and particularly recommended to Friends. In 1677 and 1678 five vessels sailed for West New Jersey, with eight hundred emigrants, nearly all Quakers. Two companies of these, one from Yorkshire, the other from London, bought large tracts of land, and sent out commissioners to quiet Indian titles and lay off the properties. At Chygoes Island they located a town, first called Beverly, then Birdlington, then Burlington.¹ There was a regular treaty with the Indians, and the Friends not only secured peace for themselves but paved the way for the pacific relations so firmly sealed by Penn's subsequent negotiations with the savages. The Burlington colony prospered, and was reinforced by new colonists continually arriving in considerable numbers. In 1680, Penn, as counsel for the trustees of West New Jersey, succeeded, by means of a vigorous and able remonstrance, in getting the Duke of York, then proprietary of New York, to remove an onerous tax on imports and exports imposed by the Gov-

ernor of New York and collected at the Horekill. The next year Penn became part proprietor of East New Jersey, which was sold under the will of Sir George Carteret, then deceased, to pay his debts. A board of twenty-four proprietaries was organized, Penn being one, and to them the Duke of York made a fresh grant of East New Jersey, dated March 14, 1682, Robert Barclay becoming Governor, while Penn's friend, Billinge, was made Governor of West New Jersey. Both these governments were surrendered to the crown in Queen Anne's reign, April 15, 1702.

While Penn was thus acquiring knowledge of and strong property interests in America, two other circumstances occurred to intensify his impatience with the state of affairs in England. One was the insensate so-called "Popish plot" of Titus Oates, the other the defeat of his friend, Alger-



WILLIAM PENN'S ARMS.

non Sidney, for Parliament. From the date of these events Penn began to look steadily westward, and prepared himself for his "Holy" or "Divine Experiment."

Admiral Penn at his death had left his son a property of £1500 a year in English and Irish estates. There was in addition a claim against King Charles' government for money lent, which, with interest, amounted to £15,000. The king had no money and no credit. What he got from Louis XIV., through the compliant Barillon, hardly sufficed for his own *menus plaisirs*.² Penn being now resolved to establish a colony in America alongside his New Jersey plantations, and to remove there himself with his family so as to be at the head of a new Quaker community and commonwealth, petitioned the king to grant him, in lieu of the claim of £15,000, a tract of country in America north of Maryland, with the Delaware on its east, its

² Not to be wondered at when we find in Charles' book of secret service money such entries as the following: "March 28th. Paid to Duchess of Portsmouth [king's mistress] £13,341 10s. 4½d. in various sums June 14th. Paid to Richard Yates, son of Francis Yates, who conducted Prince Charles from the field of Worcester to Whyte Ladies after the battle, and suffered death for it under Cromwell, £10 10s."

¹ The value of Indian lands at that time to the savages may be gathered from the price paid in 1677 for twenty miles square on the Delaware between Timber and Oldman's Creeks, to wit: 30 match-coats (made of hairy wool with the rough side out), 20 guns, 20 kettles, 1 great kettle, 30 pair of hose, 20 fathoms of duffels (Duffield blanket cloth, of which match-coats were made), 30 petticoats, 30 narrow hoses, 30 bars of lead, 15 small barrels of powder, 50 knives, 30 Indian axes, 70 combs, 60 pair of tobacco tongs, 60 pair of scissors, 60 tinshaw looking-glasses, 120 awl-blades, 120 fish-hooks, 2 graps of red patut, 120 needles, 60 tobacco-boxes, 120 pipes, 200 bells, 100 jews-harps, and 6 anchors of run. The value of these articles probably did not exceed three hundred pounds sterling. But, on the other hand, the Indian titles were really worth nothing, except so far as they served as a security against Indian hostility. It has been said that there is not an acre of land in the eastern part of Pennsylvania the deeds of which cannot be traced up to an Indian title, but that in effect would be no title at all. Mr. Lawrence Lewis, in his learned and luminous "Essay on Original Land Titles in Philadelphia," denies this absolutely, and says that it is "impossible to trace with any accuracy" the titles to land in Philadelphia derived from the Indians. Nor is it necessary to trace a title which is of no value. The Indians could not sell land to individuals and give valid title for it in any of the colonies; they could sell, if they chose, but only to the government. Upon this subject the lawyers are explicit. All good titles in the thirteen original colonies are derived from land-grants, made or accepted not by the Indians, but by the British crown. Thus Chalmers (*Political Annals*, 677) says, "The law of nations sternly disregarded the possession of the aborigines, because they had not been admitted into the society of nations." At the Declaration of Independence (see Dallas' Reports, ii. 476) every acre of land in this country was held mediately or immediately, by grants from the crown. All our institutions (Wheaton, viii. 588) recognize the absolute title of the crown, subject only to the Indian right of occupancy, and recognize the absolute title of the crown to extinguish that right. An Indian conveyance alone could give no title to an individual. (The references here given are quoted from the accurate Frothingham's "Rise of the Republic.")

western limits the same as those of Maryland, and its northern as far as plantable country extended. Before the Privy Council Committee Penn explained that he wanted five degrees of latitude measured from Lord Baltimore's line, and that line, at his suggestion, was drawn from the circumference of a circle, the radius of which was twelve miles from New Castle as its centre. The petition of Penn's was received June 14, 1680. The object sought by the petitioner, it was stated, was not only to provide a peaceful home for the persecuted members of the Society of Friends, but to afford an asylum for the good and oppressed of every nation on the basis of a practical application of the pure and peaceable principles of Christianity. The petition encountered much and various opposition. Sir John Werden, agent of the Duke of York, opposed it because the territory sought was an appendage to the government of New York, and as such belonged to the duke. Mr. Burke, the active and untiring agent of Lord Baltimore, opposed it because the grant asked by Penn would infringe upon the territory covered by Baltimore's charter. At any rate, said Mr. Burke, in a letter to the Privy Council Committee, if the grant be made to Penn, let the deed expressly state lands to the north of Susquehanna Fort, "which is the boundary of Maryland to the northward." There was also strong opposition in the Privy Council to the idea of a man such as Penn being permitted to establish plantations after his own peculiar model. His theories of government were held to be Utopian and dangerous alike to Church and State. He was looked upon as a Republican like Sidney. However, he had strong friends in the Earl of Sunderland, Lord Hyde, Chief Justice North, and the Earl of Halifax. He had an interview with the Duke of York, and contrived to win him over to look upon his project with favor, and Sir J. Werden wrote to the secretary, saying, "His royal Highness commands me to let you know, in order to your informing their lordships of it, that he is very willing Mr. Penn's request may meet with success." The attorney-general, Sir William Jones, examined the petition in view of proposed boundaries, and reported that with some alterations it did not appear to touch upon any territory of previous grants, "except the imaginary lines of New England patents, which are bounded westwardly by the main ocean, should give them a real though impracticable right to all those vast territories." The draught of the patent, when finally it had reached that stage of development, was submitted to the Lords of Trade to see if English commercial interests were subserved, and to the Bishop of London to look after the rights of the church. The king signed the patent on March 4, 1681, and the venerable document may now be seen by the curious, framed and hung up in the office of the

Secretary of State, at Harrisburg. The name to be given to the new territory was left blank for the king to fill up, and Charles called it Pennsylvania. Penn, who seems to have been needlessly squeamish on the subject, wrote to his friends to say that he wanted the territory called New Wales, and offered the Under Secretary twenty guineas to change the name, "for I feared lest it should be looked on as a vanity in me." However, he consoled himself with the reflection that "it is a just and clear thing, and my God, that has given it me through many difficulties, will, I believe, bless and make it the seed of a nation. I shall



EMBELLISHMENT ON THE CHARTER OF PENNSYLVANIA, GRANTED TO WILLIAM PENN IN 1681.

have a tender care to the government that it be well laid at first."

The charter, which is given complete in "Hazard's Annals," consists of twenty-three articles, with a preamble reciting the king's desire to extend his dominions and trade, convert the savages, etc., and his sense of obligation to Sir William Penn:

I. The grant comprises all that part of America, islands included, which is bounded on the east by the Delaware River from a point on a circle twelve miles northward of New Castle town to the 43° north latitude if the Delaware extends so far; if not, as far as it does extend, and thence to the 43° by a meridian line. From this point westward five degrees of longitude on the 41° parallel; the western boundary to the 40th parallel, and thence by a straight line to the place of beginning.

II. Grants Penn rights to and use of rivers, harbors, fisheries, etc.

III. Creates and constitutes him Lord Proprietary of the Province, saving only his allegiance to the King, Penn to hold directly of the kings of England, "as of our castle of Windsor in the county of Berke, in free and common socage, by fealty only, for all services, and not in capite, or by Knight's service, yielding and paying therefore to us, our heirs and successors, two beaver skins, to be delivered at our castle of Windsor on the 1st day of January every year," also one-fifth of precious metals taken out. On these terms Pennsylvania was erected into "a province and seignory."

IV. Grants Penn and his successors, his deputies and lieutenants "free, full, and absolute power" to make laws for raising money for the public uses of the Province and for other public purposes at their discretion, by and with the advice and consent of the people or their representatives in assembly.

V. Grants power to appoint officers, judges, magistrates, etc., to pardon offenders, before judgment or after, except in cases of treason, and to

have charge of the entire establishment of justice, with the single proviso that the laws adopted shall be consonant to reason and not contrary nor repugnant to the laws and statutes of England, and that all persons should have the right of appeal to the King.

VI. Prescribes that the laws of England are to be in force in the Province until others have been substituted for them.

VII. Laws adopted for the government of the Province to be sent to England for royal approval within five years after their adoption, under penalty of becoming void.

VIII. Licenses emigration to the new colony.

IX. Licenses trade between the colony and England, subject to the restrictions of the Navigation Acts.

X. Grants permission to Penn to divide the colony into the various minor political divisions, to constitute fairs, grant immunities and exemptions, etc.

XI. Similar to IX., but applies to exports from colony.

XII. Grants leave to create seaports and harbors, etc., in aid of trade and commerce, subject to English customs regulations.

XIII. Penn and the Province to have liberty to levy customs duties.

XIV. The Proprietary to have a resident agent in London, to answer in case of charges, etc., and continued misfeasance to void the charter and restore the government of the Province to the King.

XV. Proprietary forbidden intercourse or correspondence with the enemies of England.

XVI. Grants leave to Proprietary to pursue and make war on the savages or robbers, pirates, etc., and to levy forces for that end, and to kill and slay according to the laws of war.

XVII. Grants full power to Penn to sell or otherwise convey lands in the Province.

XVIII. Gives title to persons holding under Penn.

XIX. Penn may erect manors, and each manor to have privilege of court-baron and frank-pledge, holders under manor-title to be protected in their tenure.

XX. The King not to lay taxes in the Province "unless the same be with the consent of the Proprietary, or chief Governor, or Assembly, or by act of Parliament of England."

XXI. The charter to be valid in English courts against all assumptions or presumptions of ministers or royal officers.

XXII. Bishop of London may send out clergymen if asked to do so by twenty inhabitants of the Province.

XXIII. In cases of doubt the charter is to be interpreted and construed liberally in Penn's favor, provided such constructions do not interfere with or lessen the royal prerogative.

On the 2d of April, after the signing of the charter, King Charles made a public proclamation of the fact of the patent, addressed chiefly to the inhabitants of the territory, enjoining upon them to yield ready obedience to Penn and his deputies and lieutenants. At the same time Penn also addressed a letter to the inhabitants of the province, declaring that he wished them all happiness here and hereafter, that the Providence of God had cast them within his lot and care, and, though it was a new business to him, he understood his duty and meant to do it uprightly. He told the people that they were not now at the mercy of a Governor who came to make his fortune out of them, but "you shall be governed by laws of your own making, and live a free and, if you will, a sober and industrious people. I shall not usurp the right of any or oppress his person. God has furnished me with a better resolution and has given me his grace to keep it." He hoped to see them in a few months, and any reasonable provision they wanted made for their security and happiness would receive his approbation. Until he came he hoped they would obey and pay their customary dues to his deputy.

That deputy was Penn's cousin, William Markham, a captain in the British army, who was on April 20, 1681, commissioned to go out to Pennsylvania, and act in that capacity until Penn's arrival. He was given power to call a

Council of nine, of which he was to be president; to secure a recognition of Penn's authority on the part of the people; to settle bounds between Penn and his neighbors; to survey, lay out, rent, or lease lands according to his instructions; to erect courts, make sheriffs, justices of the peace, and other inferior requisite officers, so as to keep the peace and enforce the laws; to suppress disturbance or riot by the *posse comitatus*, and to make or ordain any ordinary ordinances or do whatever he lawfully might for the peace and security of the province. Markham was particularly instructed to settle, if he could, boundaries with Lord Baltimore, and Penn gave him a letter to that neighbor of his. The deputy soon after sailed for Pennsylvania, on what day is not definitely known, but he was in New York on June 21st, when he obtained from the Governor, Anthony Brockholls, a proclamation enjoining upon the inhabitants of Pennsylvania that they should obey the king's charter and yield a ready obedience to the new proprietary and his deputy. When Markham arrived at Upland he found Lord Baltimore there; the boundary question at once came up, and was as quickly let drop when Markham found that the lines could not be run according to the two charters respectively without giving to Baltimore some lands which Penn was resolved to keep as his own.

It is not supposed that Markham took out any emigrants with him. His business was to get possession of the province as speedily as possible, so as to insure the allegiance of the people, secure the revenue, and prepare the way for Penn. It is probable, therefore, that he sailed in the first ship offering for New York or Boston, without waiting for company. Meanwhile, even before Markham's departure, Penn began to advertise his new province and popularize what information he had concerning it. This was the business part of "the Divine Experiment," and Penn was very competent to discharge it. He published a pamphlet (through Benjamin Clark, bookseller, in George Yard, Lombard Street), entitled "Some account of the Province of Pennsylvania in America, lately granted under the Great Seal of England to William Penn, etc. Together with privileges and powers necessary to the well-governing thereof. Made public for the information of such as are or may be disposed to transport themselves or servants into those parts." This prospectus shows the extent of the knowledge Penn had already gleaned concerning his province, and how closely he had studied the methods by which he proposed to secure its prompt and effective planting and settlement. It is not necessary to incorporate the whole of such a pamphlet in this narrative, but some of its salient points must be noted. It was written, we must remember, in April, 1681, a month after the signing of the patent. Penn

begins with an excursus upon the benefit of plantations or colonies in general, to "obviate a common objection." "Colonies," he says, "are the seeds of nations, begun and nourished by the care of wise and populous countries, as conceiving them best for the increase of human stock and beneficial for commerce." Antiquity is then searched through for examples needless to repeat, but all brought in to prove that colonies do not weaken or impoverish the mother-country. Indeed, this part of his argument reads as if it were Penn's brief while his petition was before the Privy Council, and as if he drew it up in reply to objections there urged against conceding him the patent. He shows how colonies and foreign plantations have contributed to the benefit of England's commerce and industry, and might be expected to continue to do so. He denies that emigration has depopulated the country, but says that the increase of luxury has drawn an undue proportion of the rural communities into cities and towns, and that the increased cost of living thus brought about tends to prevent marriage and so promotes the decay of population. For this and the many attendant evils emigration, he suggests, is the only effective remedy. He then proceeds to speak of his province, the inducements it offers to colonists, and the terms on which he is prepared to receive them.

"The place," he says, "lies six hundred miles nearer the sun than England," so far as difference of latitude goes, adding, "I shall say little in its praise to excite desires in any, whatever I could truly write as to the soil, air and water; this shall satisfy me, that by the blessing of God and the honesty and industry of man it may be a good and fruitful land." He then enumerates the facilities for navigation by way of the Delaware Bay and River, and by way of Chesapeake Bay also; the variety and abundance of timber; the quantity of game, wild fowl, and fish; the variety of products and commodities, native or introduced, including "silk, flax, hemp, wine, sider, wood, madder, liquorish, tobacco, pot-ashes, and iron, . . . hides, tallow, pipe-staves, beef, pork, sheep, wool, corn or wheat, barley, rye, and also furs, as your peltree, mincks, racoons, martins, and such like store of furs which is to be found among the Indians that are profitable commodities in England." Next, after explaining the channels of trade,—country produce to Virginia, tobacco to England, English commodities to the colonies,—he gives assurance that under his liberal charter, paying due allegiance to the mother-country, the people will be able to enjoy the very largest proportion of liberty and make their own laws to suit themselves, and that he intends to prepare a satisfactory constitution.

Penn states explicitly in this pamphlet the conditions of immigration into his province. He looks to see three sorts of people come,—those who will

buy, those who will rent, and servants. "To the first, the shares I sell shall be certain as to number of acres; that is to say, every one shall contain five thousand acres, free from any incumbrance, the price a hundred pounds, and for the quit-rent but one English shilling, or the value of it, yearly, for a hundred acres; and the said quit-rent not to begin to be paid till 1684. To the second sort, that take up land upon rent, they shall have liberty so to do, paying yearly one penny per acre, not exceeding two hundred acres. To the third sort, to wit, servants that are carried over,¹ fifty acres shall be allowed to the master for every head, and fifty acres to every servant when their time is expired. And because some engage with me that may not be disposed to go, it were very advisable for every three adventurers to send over an overseer with their servants, which would well pay the cost."²

Penn next speaks of his plan for allotments or dividends, but as his scheme was not then, as he confesses, fully developed, and as he later furnished all the details of this scheme as he finally matured it, we will pass that by for the present. It is enough to say that the plan is very closely followed to-day in Eastern Europe to promote the sale of government bonds.

The persons, Penn says, that "Providence seems to have most fitted for plantations" are "1st, industrious husbandmen and day laborers that are hardly able (with extreme labor) to maintain their families and portion their children; 2, laborious handicrafts, especially carpenters, masons, smiths, weavers, taylor, tanners, shoemakers, shipwrights, etc., where they may be spared or low in the world, and as they shall want no encouragement, so their labor is worth more there than here, and there provisions cheaper." 3, Penn invites ingenious spirits who are low in the world, younger brothers with small inheritances and (often) large families; "lastly," he says, "there are another sort of persons, not only fit for but necessary in plantations, and that is men of universal spirits, that have an eye to the good of posterity, and that both understand and delight to promote good discipline and just government among a plain and well-intending people; such persons may find room in

¹ Called "redemptioners," because they sold their services for a term of years to pay or redeem the money advanced to "carry them over."

² On this basis, if we suppose the servant allotments to pay the same quit-rent as other tenants, Penn's colonists would be assessed about thus:

Manors.—5000 acres @ £100, int. 5 per cent	£500
50 servants to a manor, giving it 2500 acres more,	
total quit-rent @ 1s. per 100 A.	3 10
(Equal to 27½ pence per 100 A. per annum)	£8 10s.
Tenants.—100 A. @ 1d. per A.	26
5000 A., 25 tenants, 25 servants, 1250 A., 6250 A. @ 1d.	15 12½
Servants.—75 servants @ 50 A., equal to 3750 A. @ 1d.	

Thus Penn, in placing 17,500 acres, proposed to get £100 cash and yearly rents amounting to £45 2s., or 6s. 2d. nearly per 100 acres, the greater part of the burden falling upon the smaller tenants of course. The purchaser of 5000 acres had, moreover, a further advantage in sharing in the allotments, or "dividends," as Penn calls them.

colonies for their good counsel and contrivance, who are shut out from being of much use or service to great nations under settled customs; these men deserve much esteem and would be hearken'd to."

Very considerably Penn next tells all he knows about the cost and equipments for the journey and subsistence during the first few months, "that such as incline to go may not be to seek here, or brought under any disappointments there." He mentions among goods fit to take for use or for sale at a profit "all sorts of apparel and utensils for husbandry and building and household stuff." People must not delude themselves, he says, with the idea of instant profits. They will have a winter to encounter before the summer comes, "and they must be willing to be two or three years without some of the conveniences they enjoy at home, and yet I must needs say that America is another thing than it was at the first plantation of Virginia and New England, for there is better accommodation and English provisions are to be had at easier rates." The passage across the ocean will be at the outside six pounds per head for masters and mistresses, and five pounds for servants, children under seven years old fifty shillings, "except they suck, then nothing." Arriving out in September or October, "two men may clear as much ground by spring (when they set the corn of that country) as will bring in that time, twelve months, forty barrels, which makes twenty-five quarters of corn. So that the first year they must buy corn, which is usually very plentiful. They must, so soon as they come, buy cows, more or less, as they want or are able, which are to be had at easy rates. For swine, they are plentiful and cheap, these will quickly increase to a stock. So that after the first year, what with the poorer sort sometimes laboring to others, and the more able fishing, fowling, and sometimes buying, they may do very well till their own stocks are sufficient to supply them and their families, which will quickly be, and to spare, if they follow the English husbandry, as they do in New England and New York, and get winter fodder for their stock." Finally, the candid Penn recommends that none should make up their minds hastily, all get the consent of their friends or relatives, and all pray God for his blessing on their honest endeavors.

During all the rest of this year and of 1682 and up to the moment of his embarkation for Europe, William Penn was most busily and absorbingly engaged in the multifarious preparations for his new plantations. He drew up a great variety of papers, concessions, conditions, charters, statutes, constitutions, etc., equal to the average work of half a dozen congressional committees. In addition to work of this sort, requiring concentrated and abstracted thought and study, his correspondence was of the most voluminous char-

acter, and he was further most actively employed in disposing of lands and superintending the sailing of ship-loads of his colonists. The first of these papers on concessions and conditions was prepared indeed on the eve of the sailing of the first vessels containing his "adventurers." This was in July, and the vessels arrived out in October. Every paper he published called forth numerous letters from his friends, who wanted him to explain this or that obscure point to them, and he always seems to have responded cheerfully to these exhaustive taxes upon his time. His work seems to have attracted great attention and commanded admiration. James Claypoole writes (July 22d), "I have begun my letter on too little a piece of paper to give thee my judgment of Pennsylvania, but, in short, I, and many others wiser than I am, do very much approve of it and do judge William Penn as fit a man as any one in Europe to plant a country." Penn had also been busily negotiating with the Duke of York for the lands now constituting the State of Delaware, which were the duke's property, and which Penn wanted to possess in order to insure his own province the free navigation of the Delaware, and perhaps, also, to keep this province from falling into the hands of his neighbor, Lord Baltimore, who claimed it under his charter. But Sir John Werden, the duke's agent, still held off and gave Penn much trouble and uneasiness. The latter had received a tempting offer from a company of Marylanders of six thousand pounds cash, and a two-and-a-half per cent. royalty for the monopoly of the Indian (fur) trade between the Delaware and Susquehanna rivers, but he refused it upon noble grounds.

So also Penn refused to abate the quit-rents even to his most intimate friends, "intending," as Claypoole wrote, "to do equal by all," but he did reduce them from a penny to a half-penny in favor of servants settling on their fifty-acre lots, after having served their time. Subsequently, as we shall see, Penn was less rigidly moral in his land contracts. In lieu of the proposed monopoly Penn made many liberal concessions of land and privileges to another company, "The Free Society of Traders," whose plans he favored, and whose constitution and charter he helped to draw.

The charter to the Pennsylvania Company, the Free Society of Traders, bears date March 24, 1682. The incorporators named in Penn's deed to them were "Nicholas Moore of London, medical doctor; James Claypoole, merchant; Philip Ford (Penn's unworthy steward); William Sherloe, of London, merchant; Edward Pierce, of London, leather-seller; John Symcock and Thomas Brassey, of Cheshire, yeoman; Thomas Baker, of London, wine-cooper; and Edward Brookes, of London, grocer." The deed cites Penn's authority

under his patent, mentions the conveyance to the company of twenty thousand acres, erects this tract into the manor of Frank, "in free and common socage, by such rents, customs and services as to them and their successors shall seem meet, so as to be consistent with said tenure," allows them two justices' courts a year, privilege of court-baron and court-leet and view of frank-pledge, with all the authority requisite in the premises. The society is authorized to appoint and remove its officers and servants, is given privilege of free transportation of its goods and products, and exempted from any but state and local taxes, while at the same time it can levy all needful taxes for its own support within its own limits. Its chief officers are commissioned as magistrates and charged to keep the peace, with jurisdiction in case of felony, riot, or disorder of any kind. It is given three representatives in the Provincial Council, title to three-fifths of the products of all mines and minerals found, free privilege to fish in all the waters of the province, and to establish fairs, markets, etc., and the books of the society are exempt from all inspection. The society immediately prepared and published an address, with its constitution and by-laws, in which a very extensive field of operation is mapped out.¹

In the regulations for colonists set forth in his statement of "certain conditions or concessions agreed upon by William Penn, proprietary and Governor of Pennsylvania, and those who are the adventurers and purchasers in that province the 11th of July, 1681," the system of plantation is plainly described. First, a large city is to be laid off on navigable water, divided into lots, and purchasers of large tracts of lands (five thousand acres) are to have one of these city lots assigned them, the location determined by chance. It was Penn's original plan to have his great city consist of ten thousand acres, divided into one hundred lots of one hundred acres each, one of these lots to be awarded (by lot) to each purchaser of a tract of manorial proportions, who was to build in the

centre of his lot and surround his house with gardens and orchards, "that it may be a green country town," he said, "which will never be burnt and always be wholesome." Of course no great city could be built on any such plan, and Penn himself abandoned it or greatly modified it even before he sailed, the commissioner and surveyor finding it impossible to observe the conditions, especially when vessels began to be numerous along the water-front and business sprang up. This system of great farms, with a central township divided into minor lots, Penn proposed to extend all over the province. His road system was excellent. Roads were to be built not less than forty feet wide from city to city, on air-lines as nearly as possible; all streets were to be laid off at right angles and of liberal width, and no buildings were to be allowed to encroach on these, nor was there any irregular building to be permitted. This rule of symmetry, amounting almost to formality, could not be carried out any more than the great city plan. It was not Penn's notion, probably, for he was not a precisian in anything, and it looks much more like a contrivance borrowed by him for the nonce from Sir William Petty, Sir Thomas Browne, or some other hare-brain among his contemporaries. Penn's system of quit-rents and of manors also, the foundations of a great fortune, resembled closely that of Lord Baltimore in Maryland. It is likely that Penn got the idea where Lord Baltimore derived his, from Ireland, that form of irredeemable ground-rent being an old and familiar Irish tenure.² The quit-rent system caused almost immediate discontent in Pennsylvania, and undoubtedly injured the proprietary's popularity and interfered with his income. His large reservations of choice lots in every section that was laid out, contributed to this also.

Every person was to enjoy access to and use of water-courses, mines, quarries, etc., and any one could dig for metals anywhere, bound only to pay for damages done. Settlers were required to plant land surveyed for them within three years. Goods for export could only be bought or sold, in any case, in public market, and fraud and deception were to be punished by forfeiture of the goods. All trading with Indians was to be done in open market, and fraud upon them prevented by inspection of goods. Offenses against Indians were to be punished just as those against the whites, and disputes between the two races to be settled by a mixed jury. Indians to have the same privileges as the whites in improving their lands and raising crops. Stock not marked within three months

¹ In this society votes were to be on basis of amount of stock held, up to three votes, which was the limit. No one in England was allowed more than one vote, and proxies could be voted. The officers were president, deputy, treasurer, secretary, and twelve committee-men. Five, with president or deputy, a quorum. Committee-men to have but one vote each in meetings, with the casting vote to the president. Officers to hold during seven years on good behaviour; general election and reopening of subscription books every seventh year; general statement at the end of each business year. The officers to live on society's property. All the society's servants were bound to secrecy, and the books were kept in society's house, under three locks, the keys in charge of president, treasurer, and oldest committee-man, and not to be intrusted to any person longer than to transcribe any part in daytime and in the house, before seven persons, appointed by committee. The society was to send two hundred servants to Pennsylvania the first year to build two or more general factories in Pennsylvania, one on Chesapeake Bay, one on Delaware or elsewhere; to aid Indians in building houses, etc., and to hold negroes for fourteen years' service, when they were to go free, "on giving the society two-thirds of what they can produce on land allotted to them by the society, with a stock and tools; if they agree not to this, to be servants till they do." The leading object of the society at the outset seems to have been an extensive free trade with the Indians.

² Instructions to commissioners for settling the colony, Oct. 19, 1681.

This has been conclusively shown in some opinions (published in the Maryland Reports) of the judges of the Maryland Court of Appeals. These opinions were given in interpretation of leases "for ninety-nine years, renewable forever." It was decided that these leases were perpetual, and their historical relation to the Irish leases was demonstrated in order to establish the fact of their irredeemable character.

after coming into possession of planters to be forfeited to the Governor. In clearing land, one-fifth to be left in wood, and oak and mulberry trees to be preserved for ship-building. To prevent debtors from furtively absconding, no one was to leave the province until after three weeks' publication of the fact.

On April 25th he published his "frame of government," or, as James Claypoole called it in his letters, "the fundamentals for government,"—in fact, the first constitution of Pennsylvania.

The document is entitled "The frame of the government of the province of Pennsylvania, in America, together with certain laws agreed upon in England by the governor and divers freemen of the aforesaid province, to be further explained and continued there by the first provincial council that shall be held, if they see meet."

The "preface" or preamble to this constitution is curious, for it is written as if Penn felt that the eyes of the court were upon him. The first two paragraphs form a simple excursus upon the doctrine of the law and the transgressor as expounded in St. Paul's Epistle to the Romans: "For we know that the law is spiritual: but I am carnal, sold under sin," etc. From this Penn derives, not very perspicuously, however, "the divine right of government," the object of government being twofold, to terrify evil-doers and to cherish those that do well, "which gives government a *life beyond corruption* [i. e., divine right], and makes it as durable in the world as good men shall be." Hence Penn thinks that government seems like a part of religion itself, a thing sacred in its institution and end.

In the Constitution, which follows the preamble, Penn begins by confirming to the freemen of the province all the liberties, franchises, and properties secured to them by the patent of King Charles II. The government of the province is to consist of "the Governor and freemen of the said province, in form of a Provincial Council and General Assembly, by whom all laws shall be made, officers chosen, and public affairs transacted." The Council, of seventy-two members, is to be elected at once, one-third of the members to go out, and their successors elected each year, and after the first seven years those going out each year shall not be returned within a year. Two-thirds of the Council are required to constitute a quorum, except in minor matters, when twenty-four will suffice. The Governor is always to preside over the session of Council, and is to have three votes "The Governor and Provincial Council shall *prepare and propose* to the General Assembly hereafter mentioned *all bills* which they shall at any time think fit to be passed into laws within the said province, . . . and on the ninth day from their so meeting, the said General Assembly, after reading over the proposed

bills by the clerk of the Provincial Council, and the occasion and motives for them being opened by the Governor or his deputies, shall give their affirmative or negative, which to them seemeth best, . . . and the laws so prepared and proposed as aforesaid that are assented to by the General Assembly shall be enrolled as laws of the province, with this style: 'By the Governor, with the assent and approbation of the freemen in the Provincial Council and General Assembly.'" Here is the fatal defect of Penn's Constitution, a defect which robs it of even any pretence of being republican or democratic in form or substance. The Assembly, the popular body, the representatives of the people, are restricted simply to a veto power. They cannot originate bills; they cannot even debate them; they are not allowed to think or act for themselves or those they represent, but have nothing to do except vote "yes" or "no." To be sure, the Council is an elective body too. But it is meant to consist of the Governor's friends. It is the aristocratic body. It does not come fresh from the people. The tenure of its members is three years. Besides, for ordinary business, twenty-four of the Council make a quorum, of whom twelve, with the Governor's casting vote, comprise a majority. The Governor has three votes; the Society of Free Traders has six votes; if the Governor have three or four friends in Council, with the support of this society he can control all legislation. It seems incredible that William Penn should have of his own free will permitted this blemish upon his Constitution, which he claimed gave all the power of government and law-making into the hands of the people.

Aside from this fatal piece of subservience there is much to praise in Penn's Constitution and something to wonder at, as being so far in advance of his age. The executive functions of Governor and Council are carefully defined and limited. A wholesome and liberal provision is made for education, public schools, inventions, and useful scientific discoveries.¹

The Provincial Council, for the more prompt dispatch of business, was to be divided into four committees,—one to have charge of plantations, "to situate and settle cities, posts, and market-towns and highways, and to have and decide all suits and controversies relating to plantations," one to be a committee of justice and safety, one of trade and treasury, and the fourth of manners, education, and arts, "that all wicked and scan-

¹ In the preamble Penn lays down a doctrine now universally recognized, and the general acceptance of which, it is believed, affords the surest guarantee for the perpetuity of American institutions. That virtue and wisdom, "because they descend not with worldly inheritances, must be carefully propagated by a virtuous education of youth, for which after-ages will owe more to the care and prudence of founders and the successive magistracy than to their parents for their private patrimonies." No great truth could be more fully and nobly expressed than this.

dalous living may be prevented, and that youth may be successfully trained up in virtue and useful knowledge and arts."

The General Assembly was to be elected yearly, not to exceed two hundred members, representing all the freemen of the province. They were to meet in the capital on "the 20th day of the second month," and during eight days were expected to freely confer with one another and the Council, and, if they chose, to make suggestions to the Council committees about the amendment or alteration of bills (all such as the Council proposed to offer for the adoption being published three weeks beforehand), and on the ninth day were to vote, "not less than two-thirds making a quorum in the passing of laws and choice of such officers as are by them to be chosen." The General Assembly was to nominate a list of judges, treasurers, sheriffs, justices, coroners, etc., two for each office, from which list the Governor and Council were to select the officers to serve. The body was to adjourn upon being served with notice that the Governor and Council had no further business to lay before them, and to assemble again upon the summons of the Governor and Council. Elections were to be by ballot, and so were questions of impeachment in the Assembly and judgment of criminals in the Council. In case the proprietary be a minor, and no guardian has been appointed in writing by his father, the Council was to appoint a commission of three guardians to act as Governor during such minority. No business was to be done by the Governor, Council, or Assembly on Sunday, except in cases of emergency. The Constitution could not be altered without the consent of the Governor and six-sevenths of the Council and the General Assembly. (Such a rule, if enforced, would have perpetuated any Constitution, however bad). Finally Penn solemnly declared "that neither I, my heirs nor assigns, shall procure or do anything or things whereby the liberties in this charter contained and expressed shall be infringed or broken; and if anything be procured by any person or persons contrary to these premises it shall be held of no force or effect."

On May 15th Penn's code of laws, passed in England, to be altered or amended in Pennsylvania, was promulgated. It consists of forty statutes, the first of which declares the charter or Constitution which has just been analyzed to be "fundamental in the government itself." The second establishes the qualifications of a freeman (or voter or elector). These include every purchaser of one hundred acres of land, every tenant of one hundred acres, at a penny an acre quit-rent, who has paid his own passage across the ocean and cultivated ten acres of his holding, every freeman who has taken up fifty acres and

cultivated twenty, "and every inhabitant, artificer, or other resident in the said province that pays scot and lot to the government." All these electors are also eligible to election both to Council and Assembly.

Elections must be free and voluntary, and electors who take bribes shall forfeit their votes, while those offering bribes forfeit their election, the Council and Assembly to be sole judges of the regularity of the election of their members.

"No money or goods shall be raised upon or paid by any of the people of this province, by way of public tax, custom, or contribution, but by a law for that purpose made." Those violating this statute are to be treated as public enemies and betrayers of the liberties of the province.

All courts shall be open, and justice shall neither be sold, denied, or delayed. In all courts all persons of all (religious) persuasions may freely appear in their own way and according to their own manner, pleading personally or by friend; complaint to be exhibited fourteen days before trial, and summons issued not less than ten days before trial, a copy of complaint to be delivered to the party complained of at his dwelling. No complaint to be received but upon the oath or affirmation of complainant that he believes in his conscience his cause to be just. Pleadings, processes, and records in court are required to be brief, in English, and written plainly so as to be understood by all.

All trials shall be by twelve men, peers, of good character, and of the neighborhood. When the penalty for the offense to be tried is death, the sheriff is to summon a grand inquest of twenty-four men, twelve at least of whom shall pronounce the complaint to be true, and then twelve men or peers are to be further returned by the sheriff to try the issue and have the final judgment. This trial jury shall always be subject to reasonable challenge.

Fees are required to be moderate, their amounts settled by the Legislature, and a table of them hung up in every court-room. Any person convicted of charging more than the lawful fee shall pay twofold, one-half to go to the wronged party, while the offender shall be dismissed. All persons wrongly imprisoned or prosecuted at law shall have double damages against the informer or prosecutor.

All prisons, of which each county is to have one, shall be work-houses for felons, vagrants, and loose and idle persons. All persons shall be bailable by sufficient security, save in capital offenses "where the proof is evident or the presumption great." Prisons are to be free as to fees, food, and lodging.

All lands and goods shall be liable to pay debts, except where there is legal issue, and then all goods and one-third of the land only. (This is meant in

case a man should die insolvent.) All wills in writing, attested by two witnesses, shall be of the same force as to lands or other conveyances, being legally proved within forty days within or without the province.

Seven years' quiet possession gives title, except in cases of infants, lunatics, married women, or persons beyond the seas.

Bribery and extortion are to be severely punished, but fines should be moderate and not exhaustive of men's property.¹

Marriage (not forbidden by the degrees of consanguinity or affinity) shall be encouraged, but parents or guardians must first be consulted, and publication made before solemnization; the ceremony to be by taking one another as husband and wife in the presence of witnesses, to be followed by a certificate signed by parties and witnesses, and recorded in the office of the county register. All deeds, charters, grants, conveyances, long notes, bonds, etc., are required to be registered also in the county enrollment office within two months after they are executed, otherwise to be void. Similar deeds made out of the province were allowed six months in which to be registered before becoming valid.

All defacers or corrupters of legal instruments or registries shall make double satisfaction, half to the party wronged, be dismissed from place, and disgraced as false men.

A separate registry of births, marriages, deaths, burials, wills, and letters of administration is required to be kept.

All property of felons is liable for double satisfaction, half to the party wronged; when there is no land the satisfaction must be worked out in prison; while estates of capital offenders are escheated, one-third to go to the next of kin of the sufferer and the remainder to next of kin of criminal.

Witnesses must promise to speak the truth, the whole truth, etc., and if convicted of willful falsehood shall suffer the penalty which would have been inflicted upon the person accused, shall make satisfaction to the party wronged, and be publicly exposed as false witnesses, never to be credited in any court or before any magistrate in the province.

Public officers shall hold but one office at a time; all children more than twelve years old shall be taught some useful trade; servants shall not be kept longer than their time, must be well treated if deserving, and at the end of their term be "put in fitting equipage, according to custom."

Scandal-mongers, back-biters, defamers and spreaders of false news, whether against public or private persons, are to be severely punished as ene-

mies to peace and concord. Factors and others guilty of breach of trust must make satisfaction, and one-third over, to their employers, and in case of the factor's death the Council Committee of Trade is to see that satisfaction is made out of his estates.

All public officers, legislators, etc., must be professors of faith in Jesus Christ, of good fame, sober and honest convictions, and twenty-one years old. "All persons living in this province who confess and acknowledge the one Almighty and Eternal God to be the Creator, Upholder, and Ruler of the world, and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall in noways be molested or prejudiced for their religious persuasion or practice in matters of faith and worship; nor shall they be compelled at any time to frequent or maintain any religious worship, place, or ministry whatever." The people are required to respect Sunday by abstaining from daily labor. All "offenses against God," swearing, cursing, lying, profane talking, drunkenness, drinking of healths, obscenity, whoredom and other uncleanness, treasons, misprisions, murders, duels, felony, sedition, maimings, forcible entries and other violence, all prizes, stage-plays, cards, dice, May-games, gamesters, masks, revels, bull-baitings, cock-fightings, and the like, "which excite the people to rudeness, cruelty, looseness, and irreligion, shall be respectfully discouraged and severely punished, according to the appointment of the Governor and freemen in Council and General Assembly."

All other matters not provided for in this code are referred to "the order, prudence, and determination" of the Governor and Legislature.

The most admirable parts of this code, putting it far ahead of the contemporary jurisprudence of England or any other civilized country at the time,² are the regulations for liberty of worship

² But we must except the Catholic colony in Maryland, founded by Sir George Calvert, whose charter of 1632, and the act of toleration passed by the Assembly of Maryland, in 1649, under the inspiration of Sir George's son, Cecilius, must be placed alongside of Penn's work. Two brighter lights in an age of darkness never shone. Calvert's charter was written during the heat of the Thirty Years' religious war, Penn's Constitution at the moment when all Dissenters were persecuted in England and when Louis XIV. was about to revoke the Edict of Nantes. The Virginians were expelling the Quakers and other sectaries. In New England the Puritan separatists, themselves refugees for opinion's sake, martyrs to the cause of religious freedom, were making laws which were the embodiment of doubly-distilled intolerance and persecution. Roger Williams was banished in 1635, in 1650 the Baptists were sent to the whipping-post, in 1634 there was a law passed for the expulsion of Anabaptists, in 1647 for the exclusion of Jesuits, and if they returned they were to be put to death. In 1656 it was decreed against "the cursed sect of heretics lately risen up in the world, which are commonly called Quakers," that captains of ships bringing them in were to be fined or imprisoned, Quaker books, or "writings containing their devilish opinions," were not to be imported, Quakers themselves were to be sent to the house of correction, kept at work, made to remain silent, and severely whipped. This was what the contemporaries of Calvert and Penn did. We have seen Penn's law of liberty of conscience. Calvert's was equally liberal. The charter of Calvert was not to be interpreted so as to work any diminution of God's sacred Christian religion, open to all sects, Protestant and Catholic, and the act of toleration and all preceding legislation, official oaths, etc., breathed the same spirit of toleration and determination, in the words of the oath of 1637, that none in the colony, by him-

¹ "Contentments, merchandise, and wainage," says the text,—the land by which a man keeps his house, his goods, and his means of transportation

and the administration of justice. Penn's code on this latter point is more than a hundred years in advance of England. In the matter of fees, charges, plain and simple forms, processes, records, and pleadings, it still remains in advance of court proceedings and regulations nearly everywhere. The clauses about work-houses and about bailable offenses are also far in advance of even the best modern jurisprudence.

Notwithstanding all these and many other heavy and pressing engagements, Penn seems to have found time to attend to his work as a preacher and a writer of religious tracts and pamphlets. He went on a mission tour into the West of England, he wrote on "Spiritual Commission," he mediated between dissenting Friends, and healed a breach in his church; his benevolent endeavors were given to aid and encourage the Bristol Quakers, then severely persecuted, and he barely escaped being sent to jail himself for preaching in London at the Grace Church Street meeting.

Penn had expected to go out to Pennsylvania himself late in the fall of 1681, but the pressure of all these concerns and the rush of emigrants and colonists delayed him. He found he would have settlers from France, Holland, and Scotland, as well as from England, and few besides servants would be ready to go before the spring of 1682. "When they go, I go," he wrote to his friend James Harrison, "but my going with servants will not settle a government, the great end of my going." He also said in this letter that in selling or renting land he cleared the king's and the Indian title, the purchaser or lessee paid the scrivener and surveyor. In October Penn sent out three commissioners, William Crispin, John Bazar, and Nathaniel Allen, to co-operate with Markham in selecting a site for Penn's proposed great city, and to lay it out. They also were given very full, careful, and explicit instructions by Penn, particularly as to dealing with the Indians, some Indian titles needing to be extinguished by them. He wrote a letter to the Indians themselves by these commissioners, which shows he had studied the savage character very carefully. It touched the Indian's faith in the one universal Great Spirit, and finely appealed to his strong innate sense of justice. He did not wish to enjoy the great province his king had given him, he said, without the Indian's consent. The red man had suffered much injustice from his countrymen, but this was the work of self-seekers; "but I am not such a man, as is well known in my own country, I have a great love and regard for you, and I desire to win and gain your love and friendship by a kind, just, and peaceable

life, and the people I send are all of the same mind, and shall in all things behave themselves accordingly, and if in anything any shall offend you or your people, you shall have a full and speedy satisfaction for the same by an equal number of just men on both sides, that by no means you may have just occasion of being offended against them." This was the initiatory step in that "traditional policy" of Penn and the Quakers towards the Indians which has been so consistently maintained ever since, to the imperishable honor of that sect.

As the year 1682 entered we find Penn reported to be "extraordinarily busy" about his province and its affairs. He is selling or leasing a great deal of land, and sending out many servants. A thousand persons are going to emigrate along with him. He gets Claypoole to write to his correspondent in Bordeaux for grape-vines, fifteen hundred or two thousand plants, to carry out with him, desiring vines that bear the best grapes, not the most. Claypoole has himself bought five thousand acres, wants to go out and settle, but doubts and fears. He don't feel sure about the climate, the savages, the water the vermin, reptiles, etc.

By June 1st Penn had made the extraordinary sale of five hundred and sixty-five thousand five hundred acres of land in the new province, in parcels of from two hundred and fifty to twenty thousand acres. Penn's mother died about this time, causing him much affliction. The Free Traders' Society is organized, Claypoole makes up his mind at last to emigrate, the site for Philadelphia is determined, and Markham buys up Indian titles and settlers' land upon it, so as to have all clear for the coming great city. August 31st the Duke of York gives Penn a protective deed for Pennsylvania, and on the 24th the Duke finally concedes New Castle, and twelve miles about it, and Horekill (Delaware), between New Castle and Cape Henlopen, to him by deed of feoffment.¹ This concludes the major part of Penn's business in England, and he is ready to sail Sept. 1st, 1682, in the ship "Welcome," three hundred tons, Captain Robert Greenway, master. It is then that he writes the touching letter to his wife and children, in which he says, "remember thou wast the love of my youth and much the joy of my life; the most beloved as well as the most worthy

self or other directly or indirectly, will "trouble, molest, or discountenance any person professing to believe in Jesus Christ for or on account of his religion."

¹ It would appear from the following, that very soon after receiving the charter for Pennsylvania, William Penn was negotiating for New Castle, and probably for the remaining portion of the territory below.

"Sir John Werden wrote to Mr. Penn, that the duke was not yet disposed to grant the lands about New Castle. He, at the same time, informed him that he thought his claims to the islands in the Delaware ill-founded, because they were not included by the words of the patent, and were not intended to be granted. He immediately warned Dongan, Governor of New York, to prevent Penn's encroachments on his province, or its dependencies, giving a reason, which shows the opinions of men who had done so much business with him, that he was very intent on his own interests in those parts, as you observe."—Chalmers, p. 660.

of all my earthly comforts; and the reason of that love was more thy inward than thy outward excellences, which yet were many." He embarked at Deal with a large company of Quakers, and from the Downs sent a letter of "salutation to all faithful friends in England."

CHAPTER IX.

DELAWARE UNDER WILLIAM PENN.

PENN was very well represented in the new province and his interests intelligently cared for from the time that Lieut-Gov. Brockholls, of New York, surrendered the colony, until he himself arrived and took formal possession. His cousin, Capt. William Markham, Deputy-Governor, as has been seen, arrived out in October, 1681. Markham was in New York on June 21st, but the first record we have of his appearance on the Delaware is the following:

"Obligation of Councilmen:" "Whereas, wee whose hands and Seals are hereunto Sett are Chosen by Wm Markham (agent to Wm. Penn, Esq., Proprietor of y^e Province of Pennsylvania) to be of the Council for y^e s^d province, doe hereby bind ourselves by our hands and Seals, that wee will neither act, nor advise, nor Consent unto anything that shall not be according to our own Consciences the best for y^e true and well Government of the s^d province, and Likewise to Keep Secret all y^e votes and acts of us, The s^d Council, unless Such as by the General Consent of us are to be published. Dated at Vpland y^e third day of August, 1681.

"Robert Wade, Morgan Drewet, Wm. Woodmanson, (W. W. The mark of) William Warner, Thomas Fairman, James Sandilene, Will Clayton, Otto Earnest Koch, and y^e mark (L) of Lacy (or Lasse) Cock."

In September Upland Court appears to have been reorganized under Markham's instructions and jury trials instituted. The justices present at the meeting of this newly-organized court were William Clayton, William Warner, Robert Wade, William Byles, Otto Ernest Cock, Robert Lucas, Lasse Cock, Swen Swenson, and Andreas Rankson, five of them being members of Markham's Council. The clerk of the court was Thomas Revell, and the sheriff's name was John Test. The first jury drawn in this court—the first drawn in Pennsylvania—was in the case of assault and battery (*Peter Earicksen vs. Harman Johnson and wife*), and their names were Morgan Drewet, William Woodmanson, William Hewes, James Browne, Henry Reynolds, Robert Schooley, Richard Pittman, Lasse Dolboe, John Akraman, Peter Rambo, Jr., Henry Hastings, and William Oxley; two more of the Deputy-Governor's Council being on this jury. At the next meeting of Upland Court, in November, Markham was present, and he attended all the subsequent sessions up to the time of Penn's arrival.

A petition to Markham, dated from "Pesienk (Passyunk), in Pennsylvania, 8th October, 1681," would tend to show that the Indians of that day could not see the merits of "Local Option." It is

signed by Nanne Seka, Keka Kappan, Jong Goras, and Espon Ape, and shows that

"Whereas, the selling of strong liquors [to Indians] was prohibited in Pennsylvania, and not at New Castle; we find it a greater inconvenience than before, our Indians going down to New Castle, and there buying rum and making them more debauched than before (in spite of the prohibition). Therefore we, whose names are hereunder written, do desire that the prohibition may be taken off, and rum and strong liquors may be sold (in the foresaid province) as formerly, until it is prohibited in New Castle, and in that government of Delaware."

This petition appears to have been renewed after Penn's arrival, for we find in the minutes of the Provincial Council, under date of 10th of Third Month (May 20, 1683), that "The Gov'r [Penn] Informs the Council that he had Called the Indians together, and proposed to Let them have rum if they would be contented to be punished as y^e English were; which they agreed to, provided that y^e Law of not Selling them Rum be abolished." The law was in fact declared to be a dead letter, but in 1684 Penn besought the Council to legislate anew on the subject so at least as to arrest indiscriminate sales of spirits to the savages. This subject of selling rum to the Indians is continually coming up in the Colonial Records.

Penn's ship, the "Welcome," sailed from "the Downe's" (the roadstead off Deal and Ramsgate, where the Goodwin Sands furnish a natural break-water) on or about Sept. 1, 1682. Claypoole writes on September 3d that "we hope the 'Welcome,' with William Penn, is gotten clear." The ship made a tolerably brisk voyage, reaching the capes of the Delaware on October 24th, and New Castle on the 27th, being thus fifty-three days from shore to shore. The voyage, however, was a sad one, almost to the point of disaster. The small-pox had been taken aboard at Deal, and so severe were its ravages that of the one hundred passengers the ship carried, thirty, or nearly one-third, died during the passage. The terrible nature of this pestilence may be gathered from one striking fact, and that is this: antiquarians, searching for the names of these first adventurers who come over with Penn,—a list of names more worthy to be put on record than the rolls of Battell Abbey, which preserves the names of the subjugators of England, who came over with William the Conqueror,—have been able to find the most of them attached as witnesses or otherwise to the wills of the well-to-do burghers and sturdy yeomen who embarked with Penn on the "Welcome" and died during the voyage. The list of passengers, derived chiefly from Mr. Edward Armstrong's address before the Pennsylvania Historical Society at Chester in 1851 (his authorities being there given in full), begins with

JOHN BARBER and Elizabeth, his wife. He was a "first purchaser," and made his will on board the "Welcome."

WILLIAM BRADFORD, first printer of Philadelphia and earliest government printer of New York.¹

¹ We have examined with care the evidence both for and against the assumption that Bradford came over in the ship with Penn, and our

WILLIAM BUCKMAN and Mary, his wife, with Sarah and Mary, their children, of Billingham, Sumex.

JOHN CARVER and Mary, his wife, of Hertfordshire, a first purchaser.¹

BENJAMIN CHAMBERS, of Rochester, Kent. Afterwards sheriff (in 1683) and otherwise prominent in public affairs.

THOMAS CROSSDALE (Crossdale) and Agnes, his wife, with six children, of Yorkshire.

ELLEN COWGILL and family.

JOHN FISHER, Margaret, his wife, and son John.

THOMAS FITZWALTER and sons, Thomas and George, of Hamworth, Middlesex. (He lost his wife, Mary, and Josiah and Mary, his children, on the voyage.) Member of Assembly from Bucks in 1683, active citizen, and eminent friend.

THOMAS GILLET.

ROBERT GREENAWAY, master of the "Welcome."

CUTHBERT HAYHURST, his wife and family, of Easington, Bolland, Yorkshire, a first purchaser.

THOMAS HERIOTT, of Hurst-Pier-Point, Sumex. First purchaser.

JOHN HEY.

RICHARD INGLE, Clerk to Provincial Council in 1685.

ISAAC INGRAM, of Gatton, Surrey.

GILES KNIGHT, Mary, his wife, and son Joseph, of Gloucestershire.

WILLIAM LUSHINGTON.

HANNAH MOORBRIDGE.

JOSHUA MORRIS.

DAVID OGDEN, "Probably from London."

EVAN OLIVER, with Jean, his wife, and children,—David, Elizabeth, John, Hannah, Mary, Evan, and Sealein, of Radnor, Wales. (The last, a daughter, born at sea, within sight of the Delaware Capes, Oct. 24, 1682.)

— PEARSON, emigrant from Chester, Penn's friend, who renamed Upland after his native place. His first name probably Robert.

JOHN ROWLAND and Priscilla, his wife, of Billingham, Sumex. First purchaser.

THOMAS ROWLAND, Billingham, Sumex. First purchaser.

JOHN SONGHURST, of Chillington, Sumex. First purchaser. (Some say from Conyhurst, or Hitchingheld, Sumex.) Devoted to Penn. Member of first and subsequent Assemblies. A writer and preacher of distinction among the Friends.

JOHN STACKHOUSE and Margery, his wife, of Yorkshire.

GEORGE THOMPSON.

RICHARD TOWNSEND, wife Anna, son James (born on "Welcome" in Delaware River), of London. First purchaser. A leading friend and eminent minister. Miller at Upland and on Schuylkill.

WILLIAM WADE, of Hankton parish, Sumex.

THOMAS WALMESLEY, Elizabeth, his wife, and six children, of Yorkshire.

NICHOLAS WALN, of Yorkshire. First purchaser. Member from Bucks of first Assembly. Prominent in early history of province.

JOSEPH WOODROOFE.

THOMAS WRIGHTSWORTH and wife, of Yorkshire.

THOMAS WYNN, chirurgion, of Caerwys, Flintshire, North Wales. Speaker of first two Assemblies. Magistrate for Sumex County. "A person of note and character." (Chestnut Street, in Philadelphia, was originally named after him.)

DENNIS ROCKFORD and Mary, his wife, John Heriott's daughter. From Ernsterfey, Wexford, Ireland. Also their two daughters, who died at sea. Rockford was a member of Assembly in 1683.

JOHN DUTTON and wife,

PHILIP THEODORE LEHMAN (afterward Lehman), Penn's private secretary.

BARTHOLOMEW GREEN.

NATHANIEL HARRISON.

THOMAS JONES.

JEANE MATTHEWS.

WILLIAM SMITH.

HANNAH TOWNSEND, daughter of Richard.

Dr. George Smith, in the "History of Delaware Co., Pa.," specifies the following as having probably come about the time of William Penn, some before and others immediately afterwards, and before the end of 1682:

RICHARD BARNARD, of Sheffield, settled in Middletown.

JOHN BEAFER, or Bales, who married Mary, daughter of William Clayton, Sr., in 1682.

JOHN BLUNSTON, of Derbyshire, his wife Sarah, and two children. A preacher of the Society, member of the Assembly and of Council, and speaker of the former body.

judgment is that it is by no means proven, but, on the contrary, that the preponderance is against the assumption. The evidence is conflicting.

¹ Their daughter Mary, who married Isaac Knight, of Abingdon, is stated to have been "one of the first children born of English parents in Pennsylvania." She was born on the 25th of October, 1682, the day of Penn's landing at New Castle.

MICHAEL BLUNSTON, Little Hallam, Derbyshire.

THOMAS BRADSKY (or Bracy), of Wilston, Cheshire. Representative of the Society of Free Traders, member of First Assembly.

SAMUEL BRADSHAW, of Oxtou, Nottinghamshire.

EDWARD CARTER, of Brampton, Oxfordshire, member of the first English jury impaneled at Chester.

ROBERT CARTER, son of the foregoing.

JOHN CHURCHMAN, of Waldron, Essex.

WILLIAM COOK, who gave his name to Cobb's Creek. He took the old Swede's mill on the Karakung.

THOMAS CORBURN, his wife Elizabeth, and their sons, William and Joseph, from Cahel, Ireland.

RICHARD CRABBY, of London.

ELIZABETH FEARNE, widow, with son Joshua and daughters Elizabeth, Sarah, and Rebecca, of Derbyshire.

RICHARD FEW, of Levington, Wiltshire.

HENRY GIBBONS, with wife Helen and family, of Partridge, Derbyshire.

JOHN GOODSON, chirurgion, of Society of Free Traders. Came in the ship "John and Sarah" or "Bristol Factor."

JOHN HASTINGS and Elizabeth, his wife.

JOSHUA HASTINGS and Elizabeth, his wife. He was on the first grand jury.

THOMAS HOOD, of Breason, Derbyshire.

VALENTINE HOLLINGSWORTH, of Cheshire. Ancestor of the Hollingsworth family of Philadelphia (and Maryland).

WILLIAM HOWELL and Margaret, his wife, of Castledight, Pembroke-shire, Wales.

ELIZABETH HUMPHREY, with son Benjamin, and daughters Anne and Gobitha, of Llanegryn, Merioneth, Wales.

DANIEL HUMPHREY, of same place as foregoing.

DAVID JAMES, his wife Margaret and daughter Mary, of Llangeley and Glascom, Radnorshire, Wales.

JAMES KENERLEY, of Cheshire.

HENRY LEWIS, his wife Margaret and their family, of Narbeth, Pembroke-shire.

MORDECAI MADDOCK, of Loom Hill, Cheshire.

THOMAS MINSHALL and wife Margaret, of Stoke, Cheshire.

THOMAS POWELL, of Rudheath, Cheshire.

CALEB PUSEY and wife Ann, and daughter Ann.

SAMUEL SELLERS, of Belper, Derbyshire.

JOHN SHARPLESS, Jane, his wife, and children,—Phebe, John, Thomas, James, Caleb, Jane, and Joseph, of Huddleston, Cheshire.

JOHN SIMCOCK, of Society of Free Traders, from Bidley, Cheshire. A leading man in the province.

JOHN SIMCOCK, Jr., son of the foregoing. JACOB SIMCOCK, ditto.

CHRISTOPHER TAYLOR, of Skipton, Yorkshire.

PETER TAYLOR and WILLIAM TAYLOR, of Suttin, Cheshire.

THOMAS USHER.

THOMAS VERNON, of Stouthorne, Cheshire.

ROBERT VERNON, of Stoke, Cheshire.

RANDALL VERNON, of Sandyway, Cheshire.

RALPH WITHERS, of Bishop's Canning, Wiltshire.

GEORGE WOOD, his wife Hannah, his son George, and other children, of Honnall, Derbyshire.

RICHARD WORRELL (or Worall), of Oare, Berkshire.

JOHN WORRELL, probably brother of foregoing.

THOMAS WORTH, of Oxtou, Nottinghamshire.

The passengers by the "John and Sarah" and "Bristol Factor," so far as known, include William Crispin, who died on the way out, John Bezar and family, William Haige and family, Nathaniel Allen and family, John Otter, Edmund Lovett, Joseph Kirkbridge, and Gabriel Thomas.

During the trial and affliction which the passengers and crew of the "Welcome" were subjected to on their voyage to the Delaware, when the natural instincts of man are turned to terror and selfish seclusion, Penn showed himself at his best. His whole time, and that of his friends, was given to the support of the sick, the consolation of the dying, the burial of the dead. Richard Townsend, a fellow-passenger, said, "his good conversation was very advantageous to all the company. His singular care was manifested in contributing to the necessities of many who were sick with the smallpox. . . . We had many good meetings on board." In these pious services Penn had the cor-

dial help of Isaac Pearson, to whom, in return, he gratefully gave the privilege of rebaptizing the town on the Delaware at which some of the survivors landed, and thus the significant and appropriate name of Upland, applied by the Swedes to their second colony, was lost in the euphonious but meaningless and inappropriate cognomen of Chester.

The record of Penn's arrival at New Castle is as follows: "October 28. On the 27th day of October, arrived before the town of New Castle, in Delaware, from England, WILLIAM PENN, Esq., proprietary of Pennsylvania, who produced two certain deeds of feoffment from the illustrious prince, James, Duke of York, Albany, etc., for this town of New Castle, and twelve miles about it, and also for the two lower counties the Whorekill's and St. Jones's, which said deeds bear date the 24th August, 1682; and pursuant to the true intent, purpose, and meaning of his royal highness in the same deeds, he, the said William Penn, received possession of the town of New Castle, the 28th of October, 1682." This delivery was made, as the records show, by John Moll, Esq., and Ephraim Herman,¹ gentlemen, attorneys, constituted by his royal highness, of the town of Delaware otherwise called New Castle; the witnesses to the formal ceremony in which the key of the fort was

delivered to Penn by one of the commissioners, "in order that he might lock upon himself alone the door," and which was accompanied with presents of "turf and twig, and water and soyle of the river Delaware," were Thomas Holme, William Markham, Arnoldus de la Grange, George Forman, James Graham, Samuel Land, Richard Tugels, Joseph Curles, and John Smith.² Penn at once commissioned magistrates³ for the newly-annexed counties, and made Markham his attorney



¹ Ephraim and Caspar Herman, who prominently figure in the history of Delaware, were both sons of Augustin Herman, a Bohemian adventurer of great accomplishments; a soldier, scholar, surveyor, sailor, and diplomatist, who, after serving in Stuyveymant's Council in New Amsterdam, and conducting an embassy from him to Lord Baltimore, incurred the haughty director's displeasure, and was cast into prison. He escaped, went into Maryland, surveyed and made a map of the Chesapeake Bay and the province, and was paid with the gift of a territory in Kent and Cecil Counties, which he called Bohemia Manor. It was intersected by a river of the same name. A part of this tract was sold by Herman to a congregation of Labadists, who settled upon it. Ephraim Herman, who was born in 1654, lived chiefly among the Swedes in New Amstel and Upland. He was clerk of the court here in 1676. In 1679 he married Elizabeth von Rodenburg, a daughter of the Governor of Curacao, and took her to Upland, where he shortly afterwards deserted her to join the Labadists. He returned to her, however, after a while, and was in Upland on the day of Penn's arrival.

² The inhabitants of New Castle also made a pledge of obedience to Penn on October 28, 1682, and "solemnly promise to yield to him all just obedience, and to live quietly and peaceably under his government." It was signed by Arnoldus de la Grange, J. de Haes, H. V. D. Brieth, Wm. Simpfill, John Holmes, Hendrick Lemmons, Joseph Moore, James Parmes, Jonas Arskine, Giles Barrotta, Pieter Classen, Samuel Land.

³ The original commission is preserved at Harrisburg, in the Land Office, from which we have copied the following:

"William Penn, Esq., proprietor and governor of Pennsylvania, New Castle, St. Jones, Whorekills, alias Deal, with their proper liberties—I do, in the king's name, hereby constitute and authorize you, John Moll, Peter Alricks, Johannes de Haes, William Simple, Arnoldus de la Grange, and John Cann, to be justices of the peace, and a court of judicature, for the town of New Castle, upon Delaware, and twelve miles north and west of the same, to the north side of Duck Creek, whereof

to receive possession of the lower counties from Moll and Herman. This was done on November 7, 1682.

He also recommended a court to meet at New Castle on November 2d. On that day Penn was present with the justices, and Markham, Holme, Haige, Symcock, and Brassey, of the Provincial Council.¹ The lower counties gave in their allegiance to Markham for Penn on November 7th. In the interval between his arrival and the meeting of court, October 29th, Penn went to Upland to pay a short visit. It was between November 2d and the 8th that Penn arrived in Philadelphia.

Penn was not idle while his people were getting ready for the winter. He sent off two messengers to Lord Baltimore "to ask of his health, offer kind neighborhood, and agree upon a time the better to establish it." He issued a writ on November 18th, to Peter Baucomb, the sheriff of Jones County, to summon all freeholders on the 20th "and elect out of themselves, seven persons of most note for wisdom, sobriety, and integrity to serve as their deputies and representatives in General Assembly, to be held at Upland, in Pennsylvania, December 6th, next, and then and there to consult with him for the common good of the inhabitants of that province, and adjacent counties of New Castle, St. Jones and Whorekill, *alias* Deal, under his charge and jurisdiction." On the same day John Vines was appointed sheriff of Whorekill and Penn directed him to hold an election for seven representatives. Similar notices were issued to the other counties. Penn's province was then divided into three counties,—Philadelphia, Bucks, and Chester,—and the territories into New Castle, Jones, and Whorekills, *alias* Deal. The names of the two

any four of you shall make a quorum, to act in the said employment and trust, for the preservation of the peace and justice of the province, according to law, hereby willing and charging all persons within the said limits to take notice hereof, and accordingly to yield you all due and just obedience in the discharge of the said trust. And this commission to be in force for the space of one whole year, or until further ordered. Given under my hand and seal, in New Castle, this 28th day of October, 1682.

WILLIAM PENN.

"For my loving friends, John Moll, Peter Alricks, Johannes de Haes, William Simple, Arnoldus de la Grange, and John Cann, whose acceptance and obligation, signed by themselves, is also preserved as follows:

"We, whose names are here subscribed, being by William Penn, Esq., proprietor and governor of the province of Pennsylvania and New Castle, &c., appointed justices of peace for the town of New Castle, upon Delaware, and twelve miles north and west of the same, to the north side of Duck Creek, do hereby, in the presence of God, declare and solemnly promise that we will, by the help of God be just and true, and faithfully discharge our trust, in obedience to the same commission, and act therein according to the best of our understandings. Witness our hands and seals. Given at Delaware, the 28th October, 1682." [Signed by all of them.]

¹ In his speech in open court directed to the inhabitants in general, he requested them to bring in at the next court to be held in New Castle, "all their patents, surveys, grants, and claims, which they had to their lands, livings, tenements, and possessions, promising to ascertain, adjust, and confirm not only those as had a sufficient title and right, but also those as yet wanted a certain right to the same, so far forth as equity, justice, and reason could require." He also recommended them to take inspection, view and look over their town plots, to see what vacant room may be found therein for the accommodating and seating of newcomers, traders, and handicraftsmen therein. The proprietary was evidently afraid of being crowded at Philadelphia, where as yet but very little building had been done.

last were, towards the close of the year (December 25th), again changed,—Deal to Sussex, and Jones to Kent,—and Penn directed that Cape Henlopen be called Cape James.

At a meeting of the Deputy-Governor and justices in New Castle, on a commission directed to them by the proprietary, "touching the keeping a weekly constant market," it was resolved, "that Saturday, the 18th instant, shall be the first market-day, to be continued on every future Saturday, for this town, when all persons are desired to repair with their commodities to the fort in the market-place, at present appointed for the same, and that the sheriff shall proclaim the same to begin at 10 o'clock in the morning, and continue till 4 o'clock P.M."

After Penn had laid off his province, he took a horse and rode to New York, to see the Governor there, and look into the affairs of his friend, the Duke of York's province. When he returned he met the Assembly, on December 4th, at Upland. Nicholas More was president. The first day was devoted to organization and the selection of committees; on the second day the credentials of members and contested election cases were disposed of, and the House proceeded to adopt a series of rules and regulations for its government. These have no special interest, except that they show the Lower House had set out to become a deliberative body, and was prepared to originate bills as well as vote upon them. The three lower counties sent in a petition signed by seven persons from New Deal, six from St. Jones, and five from New Castle, asking for annexation and union, and the Swedes, Finns, and Dutch another, asking that they might be made as free as the other members of the province, and have their lands entailed upon them and their heirs forever. The same day a bill for annexation and naturalization came down from the Governor and was passed, and on the next day the Legislature passed Penn's "Great Law," so called, and adjourned or was prorogued by the Governor for twenty-one days. It never met again.

The act of union "of the counties of New Castle, Jones's, and Whorekill, *alias* Deal," and naturalization "of all foreigners in the province and counties aforesaid," after reciting Penn's different titles to Pennsylvania and the three lower counties or Delaware Hundreds, and the reasons there were in favor of a closer union and one government for the whole, enacts that the counties mentioned "are hereby annexed to the province of Pennsylvania, as of the proper territory thereof, and the people therein shall be governed by the same laws and enjoy the same privileges in all respects as the inhabitants of Pennsylvania do or shall enjoy." To further the purpose of this act of union, it is also enacted that "all persons who are strangers and

foreigners that do now inhabit this province and counties aforesaid," and who promise allegiance to the King of England, and obedience to the proprietary and his government, "shall be held and reputed freemen of the province and counties aforesaid, in as ample and full manner as any person residing therein;" other foreigners in the future, upon making application and paying twenty shillings sterling, to be naturalized in like manner. This act, says Penn, in a letter written shortly afterwards, "much pleased the people. . . . The Swedes, for themselves, deputed Lacy Cock to acquaint him that they would love, serve, and obey him with all they had, declaring it was the best day they ever saw." An "act of settlement" appears to have been passed at the same time, in which, owing to "the fewness of the people," the number of representatives was reduced to three in the Council and nine in the Assembly from each county, the meetings of the Legislature to be annually only, unless an emergency should occur in the opinion of Governor and Council.

Penn's "Great Law," passed as above recited, contained sixty-nine sections.¹ It represents the final shape in which the proprietary's "frame of government" and code of "laws agreed upon in England" conjointly were laid before the Legislature. The variations from the original forms were numerous, some of them important. The language of the revised code is much improved over the first forms, both in dignity and sustained force. The preamble and first section are always quoted with admiration, and they should have their place here :

"THE GREAT LAW; OR, THE BODY OF LAWS OF THE PROVINCE OF PENNSYLVANIA AND TERRITORIES THEREUNTO BELONGING, PASSED AT AN ASSEMBLY AT CHESTER, ALIAS UPLAND, THE 7TH DAY OF THE 10TH MONTH, DECEMBER, 1682.

"Whereas, the glory of Almighty God and the good of mankind is the reason and end of government, and therefore government, in itself, is a venerable ordinance of God; and inasmuch as it is principally desired and intended by the proprietary and Governor, and the freemen of the Province of Pennsylvania and territories thereunto belonging, to make and establish such laws as shall best preserve true Christian and civil liberty, in opposition to all unchristian, licentious, and unjust practices, whereby God may have his due, Caesar his due, and the people their due from tyranny and oppression of the one side and insolency and licentiousness of the other, so that the best and firmest foundation may be laid for the present and future happiness of both the governor and the people of this province and territories aforesaid, and their posterity. Be it therefore enacted by William Penn, proprietary and governor, by and with the advice and consent of the deputies of the freemen of this province and counties aforesaid in assembly met, and by the authority of the same, that these following chapters and paragraphs shall be the laws of Pennsylvania and the territories thereof:

"I. Almighty God being only Lord of conscience, father of light and spirits, and the author as well as object of all divine knowledge, faith, and worship, who only can enlighten the mind and persuade and convince the understanding of people in due reverence to his sovereignty over the souls of mankind; it is enacted by the authority aforesaid that

no person now or at any time hereafter living in this province, who shall confess and acknowledge one Almighty God to be the creator, upholder, and ruler of the world, and that professeth him or herself obliged in conscience to live peaceably and justly under the civil government, shall in anywise be molested or prejudiced for his or her conscientious persuasion or practice, nor shall he or she at any time be compelled to frequent or maintain any religious worship, place, or ministry whatsoever contrary to his or her mind, but shall freely and fully enjoy his or her Christian liberty in that respect without any interruption or reflection; and if any person shall abuse or deride any other for his or her different persuasion and practice in matter of religion such shall be looked upon as a disturber of the peace, and be punished accordingly. But to the end that looseness, irreligion, and atheism may not creep in under pretence of conscience in this province, be it further enacted by the authority aforesaid, that according to the good example of the primitive Christians, and for the ease of the creation every first day of the week, called the Lord's Day, people shall abstain from their common toil and labor that, whether masters, parents, children, or servants, they may the better dispose themselves to read the scriptures of truth at home, or to frequent such meetings of religious worship abroad as may best suit their respective persuasions."

The second article of the code requires that all officers and persons "commissionated" and in the service of the Commonwealth, and members and deputies in Assembly, and "*all that have the right to elect such deputies*" shall be such as profess and declare they believe in Jesus Christ to be the Son of God and Saviour of the world," etc. This was not perhaps illiberal for Penn's day, but under it not only atheists and infidels, but Arians and Socinians, were denied the right of suffrage. Swearing "by the name of God or Christ or Jesus" was punishable, upon legal conviction, by a fine of five shillings, or five days' hard labor in the House of Correction on bread and water diet. Every other sort of swearing was punishable also with fine or imprisonment, and blasphemy and cursing incurred similar penalties. Obscene words one shilling fine or two hours in the stocks.

Murder was made punishable with death and confiscation of property, to be divided between the sufferer's and the criminal's next of kin. The punishment for manslaughter was to be graduated according to the nature of the offense. For adultery the penalty was public whipping and a year's imprisonment at hard labor; second offense was imprisonment for life, an action for divorce also lying at the option of the aggrieved husband or wife; incest, forfeiture of half one's estate and a year's imprisonment; second offense, the life term; sodomy, whipping, forfeiture of one-third of estate, and six months in prison; life term for second offense; rape, forfeiture one-third to injured party or next friend, whipping, year's imprisonment, and life term for second offense; fornication, three months' labor in House of Correction, and if parties are single, to marry one another after serving their term; if the man be married he forfeits one-third his estate in addition to lying in prison; polygamy, hard labor for life in House of Correction.

"XIV. Drunkenness on legal conviction, fine of five shillings, or five days in work-house on bread and water; second and each subsequent offense, double penalty. 'And be it exacted further, by the authority aforesaid, that they who do suffer such excess of drinking at their houses shall be liable to the same punishment with the drunkard.' Drinking health, as conducive to hard drinking, is subject to fine of five shillings.

¹ There is a discrepancy here which it is difficult to make clear. The text follows Hazard; but Mr. Linn, in his work giving the "Duke of York's laws," shows that the "Great Law" as adopted contained only sixty-one sections, and Mr. Hazard's classification is pronounced to be "evidently erroneous." In fact, it is said in Council Proceedings of 1683, that a serious lack of agreement was discovered between the Council copy of laws and the enrolled parchment copies in the hands of the Master of the Rolls. Mr. Linn also claims that Mr. Hazard is in error in regard to the date of the passage of the "Act of Settlement," which was adopted not in 1682, but on March 19, 1683.

The penalty for selling rum to Indians is a fine of five pounds. Arson is punished with amercement of double the value destroyed, corporal punishment at discretion of the bench, and a year's imprisonment. House breaking and larceny demand fourfold satisfaction and three months in work-house; if offender be not able to make restitution, then seven years' imprisonment. All thieves required to make fourfold satisfaction; forcible entry to be treated as a breach of the peace, and satisfaction to be made for it. Rioting is an offense which can be committed by three persons, and is punished according to common law and the bench's discretion. Violence to parents, by imprisonment in work-house at parent's pleasure; to magistrates, fine at discretion of court and a month in work-house; assaults by servants on masters, penalty at discretion of the court, so also with assault and battery.

"XXXVII. Challenges to duels and acceptance of challenge demand a penalty of five pounds fine and three months in work-house. Rude and riotous sports, 'prizes, stage-plays, masks, revels, bull-baits, cock fighting, with such like,' are treated as breaches of the peace; penalty, ten days in work-house, or fine of twenty shillings. Gambling, etc., fine of five shillings, or five days in the work-house. Spoken or written sedition incurred a fine of not less than twenty shillings; slighting language of or towards the magistracy, penalty, not less than twenty shillings, five or ten days in the work-house.

"XXXII. Slanderers, scandal-mongers, and spreaders of false news are to be treated as peace-breakers; persons clamorous, scolding, or railing with their tongue, when convicted "on full proof," are to go to the House of Correction for three days.

"XXXIV. The statute for the encouragement of marriage is as it was quoted above in the laws adopted in England, 'but' (xxxv.) 'no person, be it either widower or widow, shall contract marriage, much less marry, under one year after the decease of his wife or her husband.'

"XXXVI. 'If any person shall fall into decay and poverty, and be unable to maintain themselves and children with their honest endeavor, or who shall die and leave poor orphans, upon complaint to the next justice of the peace of the said county, the said justice finding the complaint to be true, shall make provision for them in such way as they shall see convenient till the next county court, and then care shall be taken for their comfortable subsistence.'

"XXXVII., etc. 'To prevent exaction in public-houses,' strong beer and ale of barley-malt shall be sold for not above two pence per Winchester quart; molasses beer one penny; a bushel must contain eight gallons, Winchester measure, all weights to be avoirdupois of sixteen ounces to the pound; all ordinaries must be licensed by the Governor, and, to insure reasonable accommodation, travelers must not be charged more than sixpence per head for each meal, including meats and small-beer; footmen to pay not over two pence per night for beds, horsemen nothing, but the charge for a horse's hay to be sixpence per night.

"XL. 'The days of the week and the months of the year shall be called as in Scripture, and not by heathen names (as are vulgarly used), as the first, second, and third days of the week, and first, second, and third months of the year, etc., beginning with the day called Sunday, and the month called March.'

"Sections XII. to LXIX. and the end of this code are substantially repeated from the code of laws adopted in England, which have already been analyzed on a preceding page. They relate to the administration of justice, the courts, testamentary law, registration, and the purity of elections. Only a few additions and changes have been made, and these simply for the sake of more perspicuity and clearer interpretation."

After the meeting of the Assembly, Penn set out on December 11th to go to visit Lord Baltimore, with whom he had an appointment for the 19th. The meeting took place at West River, where Penn was courteously and hospitably entertained. Nothing was accomplished, however, in the way of settling the boundary dispute, beyond a general discussion of the subject. Baltimore contended for what his charter gave him; Penn holding firm upon his purchase, the King's letter, and the phrase of the Calvert charter confining its operations to lands hitherto unoccupied, a position in which Penn and the Virginian Claiborne took common ground. The issue of fact as to whether the Delaware Hundreds were settled or unsettled in 1634, could not be determined then and there, even if the contending parties should agree to rest their case upon that point, as neither would do. The proprietaries finally parted, agreeing to meet again in March, and each went home to write out his own views and his own account of

the interview to the Lords of the Committee of Plantations. On his way to Chester, Penn stopped to visit the flourishing settlement of Friends in Anne Arundel and Talbot Counties, Maryland, reaching his destination on the 29th.

The year 1683 was a very busy one for William Penn. A great number of colonists arrived, building was very actively going on, division of land among purchasers was a source of much care and perplexity, the lines and bounds and streets of the new city required to be readjusted, the Council and Assembly had to be newly elected and organized, with much important legislative business before them, and there were besides, the boundary question and interviews with Lord Baltimore, Indian land treaties with their tedious preliminary councils and pow-wows, and in addition to all this an extensive and exacting correspondence. Penn, however, was equal to it all, and maintained his health, spirits, and energy remarkably well. He even found time to make an extensive tour through his territories, visited the Indian tribes in friendship with them, curiously studied their manners and customs, and even picked up a smattering of their tongue. Penn was more and more pleased with his province the more he saw of it, and was elated with the great work he had set in motion, even while he could not conceal from himself that his new province was going to prove difficult for him to govern, and that his liberal expenditures in behalf of its settlement would eventually plunge him deep in pecuniary embarrassments.

The Governor appointed new sheriffs for the several counties, and ordered them to issue writs for a new election of members of the Provincial Council and General Assembly. The "act of settlement," or frame of government provisionally adopted by the first Legislature in its brief session at Upland, or Chester, had arranged for the election of a Council of twelve persons from each county, and a General Assembly to consist of not more than two hundred freemen. The people of the counties, however, thought that this would be too heavy a drain upon a scattered and as yet scanty population, especially at times when labor seemed to be of more value than law-making, and accordingly they simply went outside the charter and elected twelve members from each county, three of whom were designated to serve in the Provincial Council, the rest to act as members of the General Assembly.

The Legislature met for the first time in Philadelphia, the Council and Governor coming together on the 10th of March, 1683, the General Assembly two days later. The members of the Council were: William Markham, Thomas Holme, Lasse Cock, Christopher Taylor, James Harrison, William Biles, John Simcock, William Clayton, Ralph Withers, William Haige, John Moll, Edmund

Cantwell, Francis Whitwell, John Richardson, John Hilliard, William Clark, Edward Southrin, and John Roads. The members of the Assembly, from the three lower counties on the Delaware, were: *New Castle*.—John Cann, John Darby, Valentine Hollingsworth, Gasparus Herman, John Dehraef, James Williams, William Guest, Peter Alrichs, Hendrick Williams. *Kent*.—John Briggs, Simon Irons, Thomas Hassold, John Curtis, Robert Belwell, William Windsmore, John Brinkloe, Daniel Brown, Benoni Bishop. *Sussex*.—Luke Watson, Alexander Draper, William Fletcher, Henry Bowman, Alexander Moleston, John Hill, Robert Bracy, John Kipshaven, Cornelius Verhoof.

At the first meeting of the Council in Philadelphia, March 10, 1683, Penn took the chair and sixteen of the eighteen councilors were present. The sheriffs of the different counties (Edmund Cantwell for New Castle, Peter Baucomb for Kent, and John Vines for Sussex) were called in and made their returns respecting the election. The rules were of the simplest: the Governor ordered those speaking to do so standing, one at a time, and facing the chair, and the members agreed upon a *viva voce* vote in all except personal matters.



SEAL OF PHILADELPHIA
IN 1683.

When these arose the vote was to be by ballot. The question of the power of electors to change the number of representatives without modifying the charter at once arose, when Penn answered that they might "amend, alter, or add for the Publick good, and that he was ready to settle such Foundations as might be for their happiness and the good of their Posterities, according to y^e powers vested in him." Then the Assembly chose a Speaker, and there was an adjournment of Council till the 12th. At the session of Council of that day nothing seems to have been done beyond compelling Dr. Nicholas More, president of the Society of Free Traders, to appear and apologize for having abused Governor, Council, and General Assembly "in company in a publick house, . . . as that they have this day broken the charter, and therefore all that you do will come to nothing & that hundreds in England will curse you for what you have done & their children after them, and that you may hereafter be impeacht for Treason for what you do." Dr. More's apologies were ample, as became such a determined conservative. The next day's session was occupied with improvement of the rules and suggestions as to amending the charter. It was obvious that the freemen of the province

were determined this should be done, in spite of Dr. More's suggestion about impeachment. On the 15th, John Richardson was fined for being "disordered in Drink," and reproved. The question of giving Governor and Council authority to prepare all bills was finally settled affirmatively, but apparently only after considerable debate. On the 16th, Dr. More, of the Society of Free Traders, wrote to ask such an interpretation of the law against fornication as applicable to servants as would be "more consistent wth the Mr. & Mrs. Interest." This was the first utterance of a corporation in Pennsylvania, and it was not on the side of humanity or morality, but of the "master and mistress' interests,"—the society did not care how severely servants were punished for their vices, so that the punishment was not such as to deprive the corporation of their services.

Among the earliest bills prepared for submitting to the General Assembly were the following: A bill for planting flax and hemp, for building a twenty-four by sixteen feet House of Correction in each county, to hinder the selling of servants into other provinces and to prevent runaways, a bill about passes, about burning woods and marshes, to have cattle marked and erect bounds, about fencing, showing that servants and stock gave the settlers more concern than anything else. The country was so large and free that it was difficult to retain people in any sort of bondage, and, where nineteen-twentieths of the land was uninclosed and free to all sorts of stock, it was necessary to fence in improved and cultivated tracts to save the crops from destruction. These bills and other matters were given in charge of the various committees into which the Council now began to divide itself. On the 19th the Speaker and a committee of the Assembly reported the bill of settlement (charter or Constitution), with "divers amendments," which were yielded to by the Governor and Council, and other amendments suggested. The Duke of York's laws and the fees charged in New York and "Delaware" were also considered in this connection; finally, on the 20th, there was a conference between the Governor and the two Houses, "and then the question being asked by the Gov^r whether they would have the old charter or a new one, they unanimously desired there might be a new one, with the amendm^{ts} putt into a Law, w^h is past." Other bills introduced at this time looked to regulating county courts, protested bills of exchange, possessions, "sailor's wracks," acts of oblivion, "Scoulds," seizure of goods, limits of courts in criminal cases, marriage by magistrates, executors and administrators, limiting the credit public-houses may give to twenty shillings, protecting landmarks, earmarks, and cattle-brands. Also bills requiring hogs to be ringed, coroners to be appointed in each county, regulating wages of servants without in-

denture, bail-bonds, and summoning grand juries. There were offered likewise a law of weights, and a bill fixing the punishment for manslaughter, and it was ordered that the seal of Philadelphia County be the anchor, of Bucks County a tree and vine, of Chester a plow, of New Castle a castle, of Kent three ears of Indian corn, and of Sussex a sheaf of wheat. The pay of Councilors was fixed at three shillings, and Assemblymen two shillings sixpence per diem, the expenses of government to be met by a land-tax. On April 2, 1683, "the Great Charter of this province was this night read, signed, sealed and delivered by y^e Gov^r to y^e inhabitants, and re-



SEAL OF KENT CO., 1683. SEAL OF SUSSEX CO., 1683.

ceived by y^e hands of James Harrison and y^e Speaker, who were ordered to return y^e old one with y^e hearty thanks of y^e whole house, which accordingly they did." Then on the 3d, after passing some minor laws, the chief of which was to prohibit the importation of felons, the Assembly adjourned "till such time as the Governor and Provincial Council shall have occasion for them."

The new charter, Constitution, bill of settlement, or frame of government was modeled upon the plan originally proposed by Penn. It retained in the hands of Governor and Council the authority to originate bills, but in other respects it deviated materially from the conditions of the old charter. The Council was to consist of three, and the General Assembly of six members from each county. The members of Council served one, two, and three years respectively. A provision was introduced looking to increase of representation in proportion to the growth of population. The whole legislative body was to be called the General Assembly, and all bills becoming acts were to be called acts of such Assembly, and the Lower House was not to adjourn until it had acted upon the business before it. It was, moreover, distinctly implied in the language of the charter that some of the rights and prerogatives enjoyed by Penn under it were to cease with his life; they were concessions to his character and his labors for the province, and not a final surrender of freemen's rights. In return Penn confirmed all in all their liberties, and pledged himself to insure to all the inhabitants of the province the quiet possession and peaceable enjoyment of their lands and estates.

The Governor and Council were in what may be called continuous session, since the charter required that the Governor or his deputy shall always preside in the Provincial Council, "and that he shall at no time therein perform any act of State whatsoever that shall or may relate unto the justice, trade, treasury, or safety of the province and territories aforesaid, but by and with the advice and consent of the Provincial Council thereof." The Assembly, however, did not meet again until October 24th, when, after a two days' session, devoted to business legislation and providing that country produce could be taken in lieu of currency, it adjourned. The business before the Council during 1683 was mainly of a routine character. The people and officials were too busily occupied in out-door work—building, planting, surveying, laying off manors and townships and treating with Indians—to have time to spare for records and debates. Nicholas More, of the Society of Free Traders, was made president of Council.

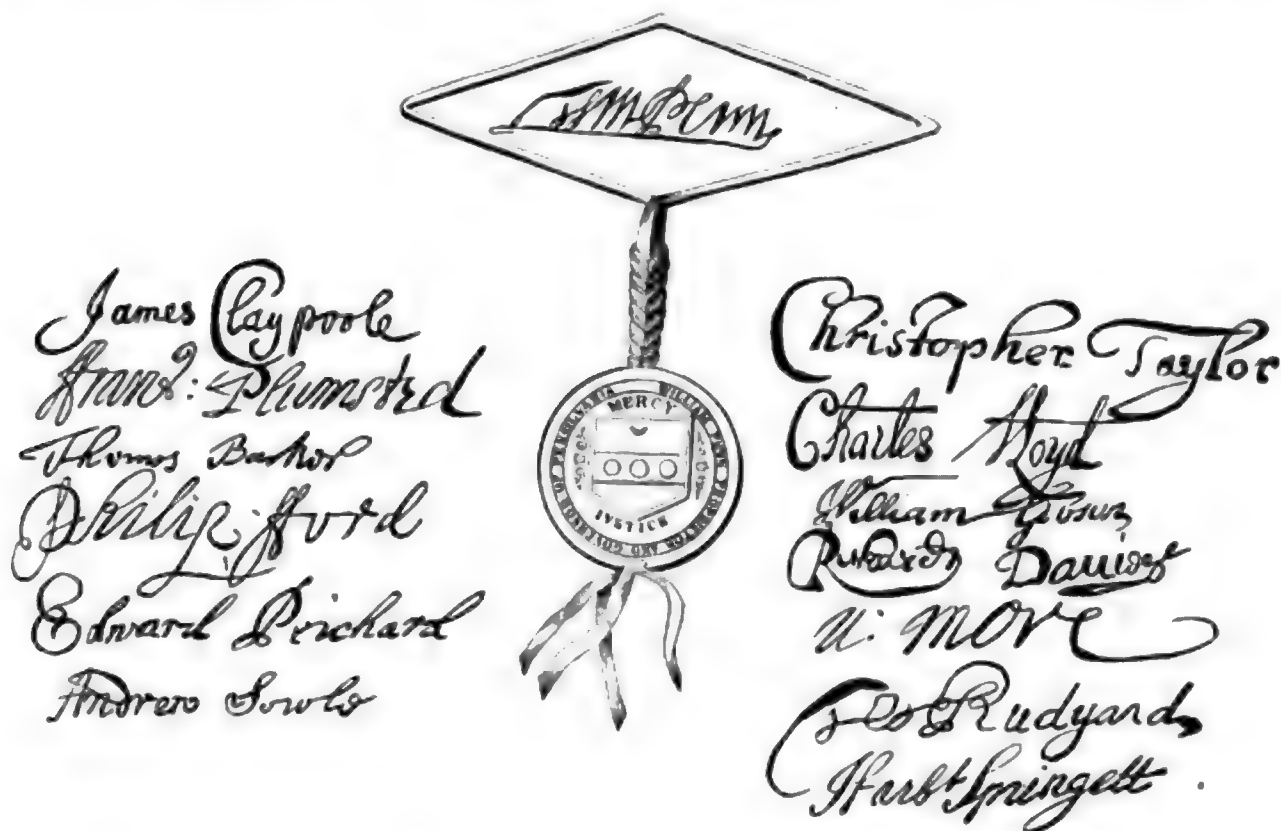
At the Council held in Philadelphia on the 29th of January, 1683, John Moll represented New Castle County in the Council, Francis Whitwell, Kent, and William Clarke, Sussex. The committee of the Assembly were James Williams, of New Castle County; Benony Bishop, Kent; and Luke Watson, Sussex. The next Assembly met at Lewes on the 2d of March, but only routine business was transacted. Early in the year 1684 a number of the inhabitants of Kent County refused to pay their taxes to Penn, and expressed disloyal sentiments against his government, which gave him much concern. The leaders of the revolt appear to be John Richardson, Thomas Heather and Thomas Wilson, who made complaint against the government in the General Assembly. Francis Whitwell and John Hilliard, who were members of the Council with John Richardson, were also implicated in the rebellion.

To conciliate the disaffected in the three lower counties of the Delaware, the General Assembly met at New Castle on the 10th of March, 1684, at which William Penn was present. The minutes of this session of the Assembly contain a singular record as illustrative of the character and methods of Penn, and what he meant by creating the office of peacemaker or arbitrator, who might stand between the people and the courts and save them the expenses and heart-burnings of litigation. "Andrew Johnson, *Pl.*, Hance (Hans) Petersen, *Def.* There being a Difference depending between them, the Gov^r & Council advised them to shake hands, and to forgive One another; and Ordered that they should Enter in bonds for fifty pounds apiece for their good abearance; w^{ch} accordingly they did. *It was also Ordered that the Records of Court concerning that Business should be burnt.*" This

simple, naked record of how the differences between Jan Jansen and Hans Petersen were settled is one of the most impressive examples of practical ethics applied to jurisprudence that was ever known.

William Penn had been long parted from his family, and his affairs in England were not in a good condition. He had done much for his province, which, at this time, had a population of seven thousand. He now thought it good for him to return for a season to England, especially as there was the place in which he might more safely hope to effect a settlement of the vexatious bound-

the president. Nicholas More, William Welch, William Wood, Robert Turner, and John Eckly were made provincial judges for two years; Markham was secretary of Council, and James Harrison was steward of the house and manor of Pennsylvania. He embarked at and sailed from Philadelphia August 12, 1684, sending from on board the vessel ere she sailed a final letter of parting to Lloyd, Claypoole, Simcock, Christopher Taylor, and James Harrison, in which he expresses the deepest affection for those faithful friends, and sends them his prayers and blessings. They had many responsibilities upon their shoulders, and he



FACSIMILE OF WILLIAM PENN'S AUTOGRAPH AND SEAL AND THE AUTOGRAPHS OF ATTESTING WITNESSES TO THE CHARTER OF 1682.

ary disputes with Lord Baltimore, whose agents had invaded the lower counties, built a fort within five miles of New Castle, and were collecting taxes and rents and dispossessing tenants in that section. Calvert himself had gone to England in March, and Penn wrote to the Duke of York that he meant to follow him as fast as he could. Accordingly, he prepared to leave the province, reorganizing the church discipline of his co-religionaries, and looking after the fiscal system of his civil government in a practical and able way. The ketch "Endeavor," just arrived from England with letters and dispatches, was got ready to carry the Governor back again. He commissioned the Provincial Council to act in his stead while he was away, intrusting the great seal to Thomas Lloyd,

hoped they would do their duty. The letter concluded with a fervent prayer for Philadelphia, "the virgin settlement of the province, named before thou wert born." Penn arrived in England on the 3d of October, and did not again see his virgin city and his beloved province until 1699.

The proceedings of Council and Assembly between 1684 and 1699, while they might fill several pages in a volume of annals, may be summed up in a few paragraphs in a history such as this.¹ The

¹On February 1, 1685, Peter Alrichs was appointed ranger of New Castle County. On the 13th of March, 1686, the freemen of New Castle petitioned the Assembly to keep a fair in the town twice a year. On the 21st of September 1690, fairs were ordered to be held on the 3d and 4th of May in New Castle County, and on 3d and 4th of September in each year.

transactions were, as a rule, not very important, and the major part of the record, outside of the regular routine of appointments, etc., is taken up with the quarrels of public officers among themselves and the complaints of the people against Penn and the government generally. A French ship with irregular papers was seized, condemned, and sold by order of Council under the English navigation laws. There must have been a great many vessels on the coast and in the bays at this time which could not give a good account of themselves, and complaints of piracy are loud and frequent, the colonial governments being sometimes accused of undue leniency in their dealings with the freebooters. Governor Fletcher, of New York, who was also Governor of Pennsylvania during the suspension of Penn's authority in May, 1693, was on friendly terms with Kidd and others, and Nicholls, one of his Council, was commonly charged with being agent of the sea-rovers. Governor Markham's alleged son-in-law, James Brown, was denied his seat in the Assembly and put in prison for sailing in a pirate's vessel. The people of Lewes openly dealt with Kidd, exchanging their provisions for his fine goods. Teach, called Blackbeard, was often about the Delaware, and it was charged that he and the Governor of North Carolina and other officials of that State were altogether too intimate.

Penn's noticeable tact and skill as a peace-maker and composer of personal difficulties were sadly missed after his departure for England. The Assembly and Council got into a serious squabble in consequence of a difference about the prerogatives and dignity of the two bodies. Chief Justice Nicholas More, though an able and probably upright man, was dictatorial and arbitrary, as well as quarrelsome. He was not a Quaker, but he used very plain language sometimes, and was free-spoken. Him the Assembly formally impeached before Council on June 15, 1685, upon the ground of various malpractices and misdemeanors, chiefly technical, or growing out of his blunt manners.

Penn at this time, besides his grave concerns at court, was busy looking after the home interests of his province on one side and its external interests on the other, now shipping wine, beer, seeds, and trees to Pennsylvania, anon publishing in London accounts and descriptions of the province and excerpts of letters received from its happy settlers. The proprietary was never fatigued even by the most minute details in any matter in which he desired to succeed, and his letters show that he anticipated and thought about every thing. His supervision was needed, for Council, Assembly, and Governor seem to have been equally incompetent to do anything besides quarrel and disagree in regard to privilege. In fact, underneath these

trivial bickerings a great struggle was going on between the representatives of the freemen of the province and the sponsors for Penn's personal interests and his proprietary prerogative. This contest lasted long, and Penn's friends in the end, without serving his political interests materially, contrived to deal his personal interests a cruel blow, by exciting the people of the province to hostile feelings against him, and provoking them to withhold rents and purchases, and reduce his income in every possible way. Penn himself wrote to Lloyd, in 1686, that the ill fame the province had gained on account of its bickerings had lost it fifteen thousand immigrants, who would have gone thither had its affairs appeared more settled, but as it was they went to North Carolina instead.

In February, 1687, Penn took the executive power away from the Council and intrusted it to a commission of five persons,—Thomas Lloyd, Nicholas More, James Claypoole, Robert Turner, and John Eckly, any three to have power to act. He sent over many instructions to his board, among others to compel the Council to their charter attendance or dissolve them without further ado and choose others, "for I will no more endure their most slothful and dishonorable attendance." The commissioners were enjoined to keep up the dignity of their station, in Council and out, and not to permit any disorders either in Council or Assembly, and not to allow any parleys or conferences between the two Houses, but curiously inspect the proceedings of both. They were further in Penn's name to disavow all laws passed since his absence, and to call a new Assembly to repass, modify, and alter the laws. When this commission was received, in February, 1688, both More and Claypoole were dead. Their places were supplied by Arthur Cook and John Simcock, and the new elections ordered gave Samuel Richardson the appointment of member of Council for three years, while Thomas Hooten, Thomas Fitzwalter, Lasse Cock, James Fox, Griffith Owen, and William Southerby were chosen members of Assembly. The contests for privilege between Council and Assembly were at once renewed; the Assembly swore its members to divulge no proceedings, and practically made its sessions secret; the Council asserted its ancient prerogatives; in short, the quarrel was interminable except by what would be practically revolution, for on one side was a written charter and a system of iron-bound laws, on the other the popular determination, growing stronger every day, to secure for the freemen of the province and their representatives a larger share in the major concerns of government and legislation. The commission, in fact, would not work upon trial, and before the year was out Penn sent over a Governor for the province, an old officer under the Commonwealth and Crom-

well, and son-in-law of that Gen. Lambert who at one time was Monk's rival,—by name John Blackwell. 1689-1691.

Governor Blackwell had a troublesome career in office. For a peaceable, non-resistant people, the Pennsylvania settlers had as many domestic difficulties on their hands as ever any happy family had. As soon as Blackwell was inducted he was brought in collision with Thomas Lloyd, who would not give up the great seal of the province, and declined to affix it to any commissions or documents of which he did not approve. As the misunderstanding grew deeper, the old issue of prerogative came up again, and it was declared that Blackwell was not Governor, for the reason that, under the charter, Penn could not create a Governor, but only appoint a Deputy-Governor. An effort was made to expel from the Council a member who had insisted upon this view of the case; it failed, the Governor dissolved the Council, and at the next session the people re-elected John Richardson, the offending member, whom, however, Blackwell refused to permit to take his seat. From this the quarrel went on until we find Lloyd and Blackwell removing and reappointing officers, and the public officers declining to submit their records to the Council and the courts. Lloyd was elected member of Council from Bucks County, and Blackwell refused to let him take his seat, which brought on a violent controversy. The general discussion of privilege and prerogative in connection with these differences led Bradford, the printer, to print for general use an edition of the "Form of Government and the Great Law," so that everybody might see for himself the right and the wrong of the matters in dispute. The expense of the publication, it is said, was borne by Joseph Growdon, a member of Council. It was considered a dangerous and incendiary act, and Bradford was summoned before the Council and closely interrogated, but he would not admit that he had printed the document, though he was the only person in the province who could have done it. There was a Council quarrel over this thing too, some men quoting Penn as favoring publicity for the acts of Assembly, another proclaiming his dread of the press, because the charter, in fact, made him a sort of independent prince. The result was the Council broke up in confusion, and for some time could not get a quorum together. The Assembly, meeting May 10th, was suddenly adjourned for the same reason, the popular party having discovered that by a negative, non-resistance policy of this sort the Governor's plans and purposes were paralyzed. There were no meetings of either Council or Assembly from the latter part of May till the last of August. Then Blackwell sprung upon the Council

a great rumor of terrible things in store for the province; the Indians and Papists had leagued together; the Northern Indians were coming down the Susquehanna, and the lower counties were already mustering to resist the invasion of an army of nine thousand men on their way from Maryland to destroy Philadelphia. Blackwell wanted instant authority to levy a force for defense, but the Quakers took things rather more quietly. They did not want an army and they did not believe the rumors. Clarke said if any such scheme of invasion had ever been entertained it was now dead. Peter Alrichs said there was nothing to be scared about. John Simcock did not see "but what we are as safe, keeping peaceable, as those who have made all this strife." Griffith Jones said there was no cause of danger if they kept quiet. In fact, the Council not only objected to a levy, but they laughed at Blackwell's apprehensions. Markham said that all such talk had no effect but to scare the women and children. The Governor found he could do nothing, and adjourned the Council.

Next came news that James II. was dethroned and William of Orange made king of England. The Council was called together, and the honest Quakers, not feeling sure which king they were under, determined neither to celebrate nor wear mourning, but to wait events, the Council amusing themselves in the mean time by keeping up their old feuds. Shrewsbury's letter announcing the new king's intention to make immediate war on the French king was laid before Council Oct. 1, 1689, and was accompanied with the usual warning about defensive measures and the need for commercial vessels to sail in company and under the protection of convoys. William and Mary were at once formally proclaimed in the province, and a fresh discussion arose in regard to the proper defensive measures and the necessity for an armed militia. The Quakers were utterly opposed to any sort of military preparations. If they armed themselves, it was urged, the Indians would at once rise. "As we are," said sensible Simcock, "we are in no danger but from bears and wolves. We are well and in peace and quiet. Let us keep ourselves so. I know naught but a peaceable spirit and that will do well." Griffith Jones, moreover, showed how much the thing would cost and how it would increase taxation. Finally, after long discussions, the Quakers withdrew from active opposition, and the preparations for defense were left to the discretion of the Governor. William Penn himself was now in deep difficulties and partly a fugitive in hiding. He was afraid to act openly any longer as the Governor of the province. Accordingly he made another change, and when Governor Blackwell called the Council together

on Jan. 1, 1690, it was to inform them that he had been relieved of his office. He seemed glad to be free.

The Council, acting upon Penn's instructions and commission on January 2, 1690, elected Thomas Lloyd president and *de facto* Deputy-Governor. The lower Delaware counties were envious of the growth of Philadelphia, Bucks, and Chester. The traditions and manners of the different sections had little similarity. Finally the bad feeling grew so strong as to lead to secession, which is more fully treated in a succeeding chapter. The Delaware counties (or "territories," as they were called) held a separate Council, elected their own judges, and finally compelled Penn, in 1691, much against his will, to divide the government, which he did by continuing Lloyd as Deputy-Governor of the province, and appointing Markham Deputy-Governor of the territories. George Keith also had at this time begun to agitate in behalf of his schism.

The French and Indian hostilities on the frontier, the apathy and non-resistance of the Quakers, and the ambiguous position of Penn, lurking in concealment, with an indictment hanging over his head, were made the pretexts for taking the government of Penn's province away from him. His intimate relations with the dethroned king, and the fact that his province, as well as the Delaware Hundreds, had been James' private property, and were still governed to some extent by "the Duke of York's laws," probably had much to do with prompting this extreme measure. Governor Benjamin Fletcher, of New York, was made "Captain-General" of Pennsylvania on October 24, 1692, by royal patent. He came to Philadelphia April 26, 1693, had his letters patent read in the market-place, and offered the test oaths to the members of the Council. Thomas Lloyd refused to take them, but Markham, Andrew Robeson, William Turner, William Salway, and Lasse Cock all subscribed. Fletcher made Markham his Lieutenant-Governor, to preside over Council in the captain-general's absence in New York. He reunited the Delaware Hundreds to the province, but did not succeed in harmonizing affairs in his new government. The Council and he fell out about the election of representatives to the Assembly. When the Legislature met, Fletcher demanded men and money to aid New York in carrying on the war with the French and Indians. The Assembly refused to comply unless the vote of supplies was preceded by a redress of grievances. Fletcher tried to reason with them. "I would have you consider," he said in his speech to the Assembly, "the walls about your gardens and orchards, your doors and locks of your houses, mastiff dogs and such other things as you make use of to defend your goods and property against

thieves and robbers, are the same courses that their majesties take for their forts, garrisons, and soldiers, etc., to secure their kingdom and provinces, and you as well as the rest of their subjects." But the Quakers were not to be convinced by any such arguments. Fletcher had reduced the number of Assemblymen, and when the Legislature met on May 16th, the first thing before the Assembly was a proposition to raise money by taxation,—the first tax levied in Pennsylvania and Delaware,—and an act was passed levying a penny a pound on property for the support of the government. The sum thus raised amounted to seven hundred and sixty pounds, sixteen shillings. Thus far Fletcher succeeded, only to fail, however, when he attempted to secure the passage of a law providing for organizing the militia. The Assembly did pass an act providing for the education of children, and also one for the establishment of a post-office. A good deal of practical local legislation was done also, probably under Markham's influence, for he was an active, energetic man, and knew the town, the people, and their wants better than any other person could do.

In the winter of 1693, Penn was acquitted by the king of all charges against him and restored to favor, his government being confirmed to him anew by letters patent granted in August, 1694. Penn would probably have returned to his province immediately after his exoneration, but his wife was ill, and died in February, 1694. This great affliction and the disordered state of his finances detained him in England several years longer. After his government was restored to him, his old friend and deputy, Thomas Lloyd, having died, Penn once more appointed his cousin, William Markham, to be Deputy-Governor, with John Goodson and Samuel Carpenter for assistants. These commissions reached Markham on March 25, 1695.

In the mean time Governor Fletcher, with his deputy (this same Markham), had been encountering the old difficulties with Council and Assembly during 1694-95. The dread of French and Indians still prevailed, but it was not sufficient to induce the Quakers of the province to favor a military *régime*. Indeed, Tammany and his bands of Delawares had given the best proof of their pacific intentions by coming into Philadelphia and entreating the Governor and Council to interfere to prevent the Five Nations from forcing them into the fight with the French and Hurons. They did not want to have anything to do with the war, but to live as they had been living in concord and quiet with their neighbors the Friends. There is no evidence that the league of amity, implied or written, had ever been seriously broken. The Indians would sometimes be drunk and disorderly, and sometimes would steal a pig

or a calf, but that was all. As Tammany said in this conference with Fletcher and Markham, "We and the Christians of this river have always had a free roadway to one another, and though sometimes a tree has fallen across the road, yet we have still removed it again and kept the path clear, and we design to continue the old friendship that has been between us and you." Fletcher promised to protect the Delawares from the Senecas and Onondagas, and told them it was to their interest to remain quiet and at peace. When the Legislature met (May 22, 1694), Fletcher, who had just returned from Albany, tried his best to get a vote of men and money, or either, for defensive purposes. He even suggested that they could quiet their scruples by raising money simply to feed the hungry and clothe the naked, but this roundabout way did not commend itself to Quaker simplicity and straightforwardness. A tax of a penny per pound was laid to compensate Thomas Lloyd and William Markham for their past services, the surplus to constitute a fund to be disbursed by Governor and Council, but an account of the way it went was to be submitted to the next General Assembly. Further than this the Assembly would not go. Fletcher wanted the money to be presented to the king, to be appropriated as he chose for the aid of New York and the defense of Albany. He objected likewise to the Assembly naming tax collectors in the act, but the Assembly asserted its undoubted right to control the disposition of money raised by taxation, and thereupon the Governor dissolved it.

In June, 1695, after Markham was well settled in his place as Penn's Deputy-Governor, there were again wild rumors of French designs upon the colonies and of squadrons already at sea to assail them, and this was so far credited that a watch and lookout station was maintained for several months at Cape Henlopen. In the latter part of this same month Markham informed the Council that Governor Fletcher had made a requisition upon him for ninety-one men and officers, or the funds for maintaining that number for the defense of New York. This matter was pressed by Fletcher, but the Council decided that it was too weighty a business to be transacted without consulting the General Assembly, which would not meet before the second week of September. Markham suggested an earlier day for meeting, but the Council thought the securing of the crops a more important business than any proposition that the ex-captain-general had to lay before them. When the Assembly did meet, in September, it at once revealed the cause of the continual discontents which had vexed the province, and gave Deputy-Governor Markham the opportunity to prove that he was an honest man. It voted a tax of a penny per pound and six shillings per capita (from which probably £1500 would have been

realized), proposing out of the receipts from the levy to pay Markham £300, contribute £250 towards the maintenance of government, and assign the surplusage to the payment of debts of the government. But the members accompanied this bill with another, a new act of settlement, in which the Assembly secured to itself the privileges which they had sought to obtain from Penn in vain. It was, as has justly been remarked, a species of "log-rolling." It had long been practiced with success by Parliament upon the impecunious monarchs of England, and in these modern times has been reduced to a science by nearly all legislative bodies. Markham, however, refused the bait. He declined to give his assent to both bills; the Assembly refused to divorce them, and the Deputy-Governor, in imitation of Fletcher's summary method, at once dissolved them in the very teeth of the charter he was refusing to supersede.

After Markham's first failure to walk in Fletcher's footsteps, he appears to have dispensed with both Council and Assembly for an entire year, governing the province as suited himself, with the aid of some few letters from Penn, made more infrequent by the war with France. On the 25th of September, 1696, however, he summoned a new Council, Philadelphia being represented in it by Edward Shippen, Anthony Morris, David Lloyd, and Patrick Robinson, the latter being secretary. The home government, through a letter from Queen Mary (the king being on the continent), it appeared, complained of the province for violating the laws regulating trade and plantations (probably in dealing with the West Indies). The Council advised the Governor to send out writs of election and convene a new Assembly on the 26th of October. He complied, and as soon as the Assembly met a contest began with the Governor. Markham urged that the queen's letter should be attended to, asking for supplies for defense, and also called their attention to William Penn's pledge that, when he regained his government, the interests of England should not be neglected. The Assembly replied with a remonstrance against the Governor's speech and a petition for the restoration of the provincial charter as it was before the government was committed to Governor Fletcher's trust. That Governor was still asking for money and relief, and Markham entreated that a tax might be levied, and, if conscience needed to be quieted in the matter, the money could be appropriated for the purchase of food and raiment for those nations of Indians that had lately suffered so much by the French. This proposition became the basis of a compromise, the Assembly agreeing to vote a tax of one penny per pound, provided the Governor convened a new Assembly, with a full number of representatives according to the old charter, to meet March 10, 1697, to serve in Provincial

Council and Assembly, according to charter, until the lord proprietary's pleasure could be known about the matter; if he disapproved, the act was to be void. Markham yielded, his Council drew up the supply bill and a new charter or frame of government, and both bills became laws.

Markham's new Constitution, adopted November 7, 1696, was couched upon the proposition that "the former frame of government, modeled by act of settlement and charter of liberties, is not deemed in all respects suitably accommodated to our present circumstances." The Council was to consist of two representatives from each county, the Assembly of four; elections to take place on the 10th of March each year, and the General Assembly to meet on the 10th of May each year. The Markham charter goes into details in regard to the oaths or affirmations of officials of all classes, jurors, witnesses, etc.; it sets the pay of Councilmen and members of Assembly, and is on the whole a clear and more satisfactory frame of government than the one which it superseded, while not varying in many substantive features from that instrument. The Assembly secured at least one-half what the framers of the province had so long been fighting for, to wit: That the representatives of the freemen, when met in Assembly, *shall have power to prepare and propose to the Governor and Council all such bills as they or the major part of them shall at any time see needful to be passed into law within the said province and territories.*" This was a great victory for the popular cause. Another equally important point gained was a clause declaring the General Assembly indissoluble for the time for which its members were elected, and giving it power to sit upon its own adjournments and committees, and to continue its sessions in order to propose and prepare bills, redress grievances, and impeach criminals.

There is not much more to say about the history of this period. The Colonial Records furnish a barren tale of new roads petitioned for and laid out; fires, and precautions taken against them and preparations to meet them; tax-bills, etc. William Penn sailed from Cowes on September 9, 1699, for his province. He had arranged his English affairs; he brought his second wife and his daughter and infants with him; probably he expected this time at least to remain in the province for good and all. He reached Philadelphia December 1st, and took lodgings with Robert Wade. The city of his love was quiet, sad, gloomy. It was just beginning to react after having been frightfully ravaged by an epidemic of yellow fever, attended with great mortality, and the people who survived were sober and quiet enough to suit the tastes of the most exacting Quaker.

The first Council attended by Penn met on December 21, 1699, and the issue between the Ad-

miralty Court and the provincial government was given immediate prominence. Col. Quarry was invited to attend the next day's Council meeting, and it was resolved that a proclamation should be forthwith published discouraging piracy and illegal trade. Quarry's charge against Penn's government was that the justices of Philadelphia Court had issued a writ of replevin, and sent the sheriff (Claypoole) to seize goods which were in the custody of the marshal of the Admiralty Court, at New Castle, having been legally seized in the name of the crown; that the justices had been offensive and insolent to Judge Quarry, challenging his commission and claiming that their jurisdiction was co-extensive with his and their authority to unloose fully as great as his to bind; that the sheriff made a pretence of keeping certain pirates in custody, while in fact they were at large every day. This led to a long conference, and it had the result that the Assembly to be called would come prepared to agitate the question of constitutional amendment, as well as that of piracy and illicit trade. It was decided to call the old Assembly to meet on January 25th, a new election being ordered in New Castle County, which had neglected to choose representatives for the last Assembly. At the time named the Assembly came together.

The sheriff of New Castle County returned, in answer to the Governor's writ, that Richard Halliwell and Robert French were elected members of the Council, and John Healy, Adam Peterson, William Guest, and William Houston members of Assembly. The writ for this election is interesting from its unusual form:

"To R. Halliwell, J^r. Donaldson, and Rob^t French, of Newcastle: Inclosed I send you a writ for y^e County of Newcastle, to return their Representative for a Council and Assembly, that I am forced to call with all possible speed. Pirates and illegal trade have made such a noise in Engl^d, and y^e jealousies of their being so much encouraged in these Am^{er}ca parts, such an impression on the minds of sev^l great ones, that I think myself obliged to give them earlier Demonstrations of our Zeal ag^t all such Practices than an expectation of y^e next Assembly (wh^{ch} comes not on till the Spring), or a full consideration of the Constitution and present frame of Govern^t will admit of. The business of this I now call will be very short, and soon over, & y^e new Assembly meets soon after, in which I hope to take such effectual measures for the future & better settlement of this Govern^t as will give full satisfaction to all.

"Pr. DYER.

"Phila^{da}, 12 mo, 1699-1700."

Some of the New Castle people complained that they did not have any sufficient notice of this election. Penn said the sheriff should be punished for his neglect, but in the mean time there would be no business before the present session except what was named in the writ, in which he hoped all would concur, without making the New Castle case a precedent for the future. Committees of Council and Assembly were appointed to consider the subject of the two proposed bills, which, after several conferences and some debate, were passed. The Assembly did not like the clause forbidding trade with Madagascar and Natal; these places, it was explained, had become retrements and

retiring-places of the pirates, and trade with them was accordingly forbidden for three years. Penn then dissolved the Assembly, after informing them that he intended to call the next General Assembly according to charter at the usual annual session. Penn had not signified to the Assembly whether or not he approved of the charter granted by Markham in 1696. Nor did he ever formally approve it, for the charter finally granted by Penn in 1701 appeared as if it were an amendment to or substitute for the charter of 1683. Penn apparently was not on very good terms with Markham at this time, or else the latter's ill health (he died in 1704 after a long illness) no longer suffered him to take an active part in government affairs.¹

Penn showed himself determined at this time to break up the piracy in the Delaware. He even went a little into the detective and private inquiry business himself. He wrote to Luke Watson: "Thy Son's Wife has made Affidavit to-day before me of what she saw & knows of Geo. Thomson having East India goods by him about y^e time Kidd's Ship came to yo^r Capes: Thy Son doubtless knows much more of the business; I desire therefore thee would cause him to make affidavit before thee of what he knows either of Georges Goods or any of

y^e rest." To the magistrates at New Castle he wrote that he had information that pirates or persons suspected of piracy had "lately landed below, on this and t'other side the River, & that some hover about New Castle, full of Gold. These are to desire you to use your utmost Endeavor and Diligence in discovering and apprehending all such persons as you may know or hear of that may be so suspected, according to my Proclamation." A similar letter was sent to Nehemiah Field and Jonathan Bailey.

Birch, collector of customs at New Castle, wrote to Penn under date of May 28, 1700, complaining of vessels having gone down from and come up to Philadelphia without reporting to him. Penn answered he was sorry that masters were so lacking in respect. There was a bill now before the Assembly to make the offense penal. But he thinks a customs collector ought to have a boat, if he wanted to secure the enforcement of the laws, which were all on his side. "Thou canst not expect that any at Philadelphia, 40 miles distant from you, can putt Laws in execution at N. Castle, without any care or vigilance of officers there, if so there needed none in the place, especially since no place in the River or Bay yields y^e prospect y^e is at New Castle of seeing 20 miles one way and a dozen the other, any vessel coming either up or down." Penn confesses he thinks the particular care he had taken of the interests of the king and his immediate officers deserved a better return "than such testy expressions as thou flings out in thy Letters both to myself and of one to y^e members of Council." Birch is reminded that he has forgotten the respect due to the proprietary's station and conduct, and that he should not make Penn a sufferer on account of his pique against the collector at Philadelphia, a matter with which he neither had nor wanted anything to do. "*Let your Masters at home decide it; what comes fairly before me I shall acquitt myself of, with Hon^r & Justice to y^e best of my understanding w^out regard to fear or favour, for those sordid passions shall never move y^e Propriet^r & Gov^r of Pensilvania.*" But Penn was not done with Mr. Birch yet. In a postscript he says he hears that the collector talks of writing home, and making he knows not what complaints. "*I hope thou wilt be cautious in that point lest I should write too, which, when I doe, may prove loud enough to make thee sensible of it at a distance. If thou understands not this, it shall be explained to thee at our next meeting, when I am more at Leisure.*" This letter, full of conscious power, was palpably meant for Quarry quite as much as Birch. Penn sent the whole correspondence to the Lords of Trade, and when Birch died shortly afterwards, Penn himself appointed his successor *pro tem.*, in order, as he said, to protect His Majesty's interests,—in other words, implying that those

¹ Watson, in his "Annals of Philadelphia," says that Markham was but twenty-one years of age when he came out to Pennsylvania, but this must be a mistake, as it would make him only forty-five when he died. At that time he was spoken of as the "old gentleman," and he had two grandchildren. Besides, he died of reticent gout, seldom fatal at such an early age. His knowledge of affairs and the confidential positions given him would imply a much older man. He left a widow, a daughter, a son-in-law, two grandchildren, and a "daughter-in-law," at his death. It is probable that Markham's retirement was on account of suspicious circumstances connecting him with the pirates, who, since the French Admiral Pointis had driven them away from the Caribbean Sea, were becoming active in Northern waters. Kidd harbored about New York, Avery and Blackbeard about the Delaware; some of Avery's men were in prison in Philadelphia, and Colonel Quarry complained more than once that their confinement was a farce, as they could go when and where they chose. It is certain that Markham suffered some of these men (who had their pockets full of gold) to be treated very leniently. One of Avery's men, Birmingham by name, had intrusted his money to Markham's keeping, and he was allowed by Sheriff Claypole to walk the streets in summer in custody of a deputy, and in winter to have his own fire. Another person suspected of connection with Avery was James Brown, member of the Assembly from Kent in 1698, and then expelled on account of his relations to the pirates. Penn had him arrested in 1699 for having come over with Avery. He was sent to Boston to be tried by the Earl of Bellamont, Governor of New York. This man is usually suspected of having been Markham's son-in-law, the husband of his daughter, "Mrs. Ann Brown." Penn's letter to Markham, dated 26th January, 1699-1700, is generally supposed to refer to him. It is as follows: "Colon Markham,—When I was with thee to-day thou offered to be bound for thy son-in-law should he bring thee into trouble, it is all the Portion I believe he has with thy daughter. What thou hast I may venture to say thou hast gott by this Govern^r. I think it strange y^efore thou shouldst make a Difficulty in binding thy Execut^{ve} with thyself for his appearance. Should another be bound, no man will take thy Bond for thy own Life, only for a counter security. Thou knowest it is Contrary to the form of all Obligations, & I cannot but take it hard thou should be so unwilling to venture so much for thy own Credit as well as that of the Govern^r and for the Husband of thy only Child from those I am not concerned with. I expect a more expresse answer than thou hast yet given and remain thy affect^{ed} Kinsman,—W. P."—(Penn's Archives, I. 128.)

Gordon says the pirates were largely reinforced after the peace of Ryswyk, and they made harbor on the Delaware, because they could easily impose on the unarmed, pacific Quakers. They sacked the town of Lewes, and captured many vessels off the Delaware capes. There is nothing improbable in the supposition that Markham was retired on account of the ineffective means employed by him for the suppression of these public plunderers.

interests were not served by either Birch or Quarry.

At the session of the Assembly and Council, in October, 1700, at New Castle, there was a general revision of laws, and a tax bill was passed to raise two thousand pounds. One hundred and four acts were passed at this session of the General Assembly, the most of them being modifications of existing laws, or acts of local character and minor importance. The purchase of land from Indians without consent of the proprietary was forbidden; better provision was made for the poor. Dueling and challenging to combat visited with three months' imprisonment; bound servants forbidden to be sold without their consent and that of two magistrates, and at the expiration of their term of service were to have clothes and implements given them. An act relating to roads gave the regulation of county roads to county justices, and the king's highway and public roads to the Governor and Council; inclosures were to be regulated, corn-field fences to be made pig-tight and five feet high, of rails or logs; when such fences were not provided, the delinquent to be liable to all damages from stock. The counties were to provide railed bridges over streams at their own expense, and to appoint overseers of highways and viewers of fences. A health bill was also passed, providing quarantine for vessels with disease aboard.

A new Assembly was called to meet on the 15th of September, 1701. The proprietary told them he would have been glad to defer the session to the usual time, but he was summoned away to England by news seriously threatening his and their interests. A combined effort was making in Parliament to obtain an act for annexing the several proprietary governments to the crown. A bill for that purpose had passed a second reading in the House of Lords, and it was absolutely necessary for Penn to be on the spot to prevent the success of these schemes. When the Assembly met, Penn told them he contemplated the voyage with great reluctance, "having promised myself the Quietness of a wilderness," but, finding he could best serve them on the other side of the water, "neither the rudeness of the season nor the tender circumstances of my family can overrule my intention to undertake it." At the first regular session of the Assembly since his return (April, 1700) Penn had addressed them on the subject of reforming the charter and laws. Some laws were obsolete, he said, some hurtful, some imperfect and needing improvement, new ones to be made also.

All this, however, was simply preliminary. The Assembly made a remonstrance and petitions of the people of Philadelphia which had been presented to Governor Markham in April, 1697, and again brought before Penn, were made the occasion

for an address to the proprietary.¹ This address was in twenty-one articles, embracing the substance of what the Assembly conceived should be entertained in any new charter. It was made up of specific demands for political privileges and territorial concessions, and, as Gordon observes, was "the germ of a long and bitter controversy." The political privileges demanded were that in case the proprietary left the province, due care should be taken to have him represented by persons of integrity and considerable known estate, with full power to deal with lands and titles, that an ample protective charter should be granted, that all property questions should be settled in the courts, and no longer allowed to go before Governor and Council, and that the justices should license and regulate ordinaries and drinking-houses. The rest of the articles were in reference to the land question, and the freedom of the demands provoked the Governor, who said, on hearing the articles read, that if he had freely expressed his inclination to indulge them, "they were altogether as free in their cravings," and there were several of the articles which could not concern them "as a House of Representatives conven'd on affairs of Gov'm't." In fact, the Assembly demanded (1) that the proprietary should cease to exercise the right of reviewing and altering the land contracts made in his name by the Deputy-Governor, and that the latter should have power to remedy all shortages and over-measures; (2) that the charter should secure all titles and clear all Indian purchases; (3) that there should be no more delay in confirming lands and granting patents, and the ten in the hundred should be allowed as agreed upon; (4) no surveyor, secretary, or other person to take any extra fees beyond the law's allowance; (5) the ancient land records, made before Penn's coming, should be "lodged in such hands as y^e Assembly shall judge to be most safe;" (6) a patent office should be created, like that of Jamaica; (7) that the original terms for laying out Philadelphia were clogged with rents and reservations contrary to the design of the first grant, and these should be eased; (8) "that the Land lying back of that part of the town already built remain for common, and that no leases be Granted, for the future, to make Inclosures to the damage of the Publick, until such time as the respective owners shall be ready to build or Improve thereon, and that the Islands and flats near the Town be left to the Inhabitants of this town to get their winter fodder;" (9) that the streets of the town should be regulated and bounded, the ends on Delaware and Schuylkill to be unlimited and left free, and free public landing-

¹ It was a protest against the right of the Assembly and Council, as then constituted, to pass laws and raise taxes. It was signed by Arthur Cook and one hundred and thirteen leading citizens of the place. Penn referred it to Robert Turner, Griffith Jones, Francis Rawle and Joseph Willcox.

places be confirmed at the Blue Anchor Tavern and the Penny Pot-House; (10) the deeds of enfeoffment from the Duke of York for the lower counties should be recorded in their courts, and all lands not disposed of then be letted at the old rate of a bushel of wheat the hundred acres; (11) New Castle should receive the one thousand acres of common land promised to it, and bank-lots these to be confirmed to owners of front lots at low-water mark, at the rent of a bushel of wheat per lot; (12) all the hay marshes should be laid out for commons, except such as were already granted; (13) that all patents hereafter to be granted to the territories should be on the same conditions as the warrants or grants were obtained, and that people should have liberty to buy up their quit-rents, as formerly promised.

Penn informed the Assembly that their address was solely on property, and chiefly in relation to private contracts between him and individuals, whereas he had recommended them to consider their privileges, the bulwark of property. He would never suffer any Assembly to intermeddle in his property. The Assembly retorted that they were of opinion they had privileges sufficient as Englishmen, and would leave the rest to Providence. As to the king's letter demanding a subsidy, the country was too much straitened of late by the necessary payment of their debts and taxes; other colonies did not seem to have done anything, and they must, therefore, beg to be excused.

Penn now made answer to the address, article by article; he would appoint such deputies as he had confidence in, and he hoped they would be of honest character, unexceptionable, and capable of doing what was right by proprietary and province; he was willing to grant a new charter, and to dispense with delays in granting patents; fees he was willing should be regulated by law, but hoped he would not be expected to pay them; the custody of the records was as much his business as the Assembly's; if the Jamaica patent law would improve things he was willing to have it adopted; the claim for town lots was erroneous; the reservations in the city were his own, not the property of the inhabitants; improvements of bed of streets conceded; license proposition conceded; the deeds for Delaware counties were recorded by Ephraim Herman; the other propositions, in substance, so far as they were important, were negatived or referred for revision.

In the course of the discussions the representatives of the lower counties took offense and withdrew from the Assembly; they objected to having the Assembly confirm and re-enact the laws passed at New Castle, since they regarded these as already permanent and established. This was only preliminary to the final separation of the Delaware

counties from Pennsylvania. Finally the Assembly was dissolved on Oct. 28, 1701; the Governor having signed an act to establish courts of judicature for the punishment of petty larceny; for minor attachments; for preventing clandestine marriages; for preventing fires in towns; for preventing swine from running at large; for the destruction of blackbirds and crows, and against selling rum to the Indians. Penn also signed the Charter of Privileges, "with a Warrant to Affix the Great Seal to it, wth was delivered with it to Thomas Story, Keeper of the said Seal, and master of the Rolls, to be Sealed and Recorded."

The Charter of Privileges, after a specific preamble, begins by confirming freedom of conscience and liberty of religious profession and worship in ample terms, as had been done in the earlier form of government; it provided for an Assembly of four members from each county, to be elected by



SEAL OF THE INROLMENT OFFICE OF PENNSYLVANIA, 1683.

the freemen each year on October 1st, and meet in General Assembly October 14th, at Philadelphia. The Assembly to choose its own Speaker and officers, judge the qualification and election of its own members, sit upon its own adjournments, appoint committees, prepare bills in or to pass into laws, impeach criminals and redress grievances, "and shall have all other powers and privileges of an Assembly, according to the rights of the free-born subjects of England, and as is usual in any of the King's Plantations in America." The freemen of each county, on the election day for Assemblymen, were to select two persons for sheriff and two for coroner, the Governor to commission a sheriff and a coroner, each to serve for three years, from the persons so chosen for him to select from. If the voters neglected to nominate candidates for these offices, the county justices should remedy the defect. "Fourthly, that the Laws of this Govr^{mt} shall be in this stile, viz^t. [By the Governour with the Consent and Approbation of the freemen in General Assembly mett] and shall be, after Confirmation by the Governour, forthwith Recorded in the Rolls office, and kept at Philadia, unless the Govr. and Assembly shall agree to

appoint another place." "Fifthly, all criminals to have the same privilege of witness and counsel as their accusers; complaints as to property not to be heard anywhere but in courts of justice, unless upon appeal lawfully provided for; no licenses for ordinaries, &c., to be granted but upon recommendation of the County Justices, who also can suppress such houses for disorder and misconduct; suicide was not to work escheat of property nor affect its regular descent to legal heirs; no forfeiture of estates to proprietary in consequence of accidents." The charter was not to be amended or altered in any way but by consent of the Governor and six-sevenths of the Assembly, and the first article, guaranteeing liberty of conscience, "shall be kept and remain without any alteration, Inviolably forever." The Assembly, by this charter, at last secured what it had been contending for ever since



WILLIAM PENN'S BURIAL-PLACE.

the first session at Upland,—the parliamentary privilege of originating bills, which must be inherent in every properly constituted legislative body. Penn, in fact, conceded everything but the margin of acres for shortage, the town lots, and the quit-rents. To expedite the conveyance of patents, titles, and land-grants he created a commission of property, consisting of Edward Shippen, Griffith Owen, Thomas Story, and James Logan, with power to grant lots and lands and make titles. The new charter did away with an elective Council, and the legislative power was vested exclusively in the Assembly. But Penn commissioned a Council under his own seal to consult and assist him or his deputy or lieutenant in all the public affairs of the province. The Council thus commissioned were to hold their places at the Governor's pleasure, the Deputy-Governor to have the power to appoint men where there was a vacancy, to nominate a president of Council, and even to increase the

number of members. The Council as nominated by Penn consisted of Edward Shippen, John Guest, Samuel Carpenter, William Clarke, Thomas Story, Griffith Owen, Phineas Pemberton, Samuel Finney, Caleb Pusey, and John Blunston, any four of them to be a quorum.

On or about November 1, 1701, William Penn, with his wife Hannah, his daughter Letitia, and his infant son John, embarked on board the ship "Dalmahoy" for England. Penn commissioned Andrew Hamilton, formerly Governor of East and West New Jersey, to be his Lieutenant-Governor; and he made James Logan provincial secretary and clerk of Council. While the ship dropped down the river the proprietary wrote his letter of instructions to Logan, from which extracts have been given above. And so Penn passed away from the province he had created, never to return to it again. He died on the 30th of July, 1718 (O. S.), in the seventy-fourth year of his age. The funeral took place August 5th, in the burial-ground at Jordan's Quaker meeting-house, in Buckinghamshire, where his first wife and several of his family were already interred.

After Penn's departure from the Delaware the proceedings of the Governor, Council, and Assembly of the province became monotonous and dreary. A constant struggle was going on, but it had no variations. The same issues were being all the time fought out, over the same familiar ground and by the same parties. The interests of the crown, the interests of the proprietary, the interests of the people, did not harmonize; there was a continual and incessant clash, and yet nothing was settled. The Governors were of inferior metal, the people vexed and complaining, the Penns wanted money, the crown wanted supplies and money, was jealous and solicitous about prerogative, everything seemed to be at odds and outs, yet the colony grew and prospered amazingly. The various and conflicting interests did not disturb a people who were peacefully reaping the fruits of their labors on a kindly soil in a gentle climate, almost untaxed and almost ungoverned, and immigration flowed in like a steady mountain tide.

On July 10, 1701, in advance of official instructions, Lieutenant-Governor Andrew Hamilton and Council ordered Anne of Denmark to be proclaimed Queen of Great Britain, principally because war had been declared with France and Spain, and the use of the sovereign's name was necessary in calling out the militia for defense. This determination to involve the colony in military measures at once provoked the passive resist-

ance of the Quakers. When the time came (November 14, 1701) for the Assembly to meet, the lower counties on the Delaware were not represented. An adjournment was had, elections held, and new representatives chosen, but they likewise refused to go to Philadelphia, and so the Quakers of that county, Bucks and Chester had things all their own way.



SEAL OF PHILADELPHIA IN 1701.

Hamilton died April 20, 1703, and was succeeded, on February 2, 1704, by John Evans, Penn's new Governor. He failed in procuring the return of the representatives of the lower counties to the Assembly, alienating them more completely still, and irritating the represented counties by his methods of procedure.

CHAPTER X.

PIRATES AND PRIVATEERS.

AMONG the many hardships with which our forefathers had to contend in the early colonial period were the incursions and depredations of pirates, freebooters and privateers. As soon as they succeeded in building their quiet little townships along the coast, and, through their thrift and energy, established themselves in comfortable homes ready to start out in life in the New World, they fell an easy prey to pirates, allured by the comfortable and frugal appearance of their homesteads. They suffered not only at the hands of strangers and foreigners, but frequently adventurers would go out from their own midst, disappointed or dissatisfied with American soil, and, in collusion with friends who remained on shore, would make regular attacks on the habitations of their former friends. A vast quantity of material is in existence bearing on this phase of colonial life, to be found chiefly in the depositions of witnesses before the Councils of the Governors, the regulations passed in the colonies or the instructions

sent from England with a view to suppress these nuisances. But notwithstanding the interest attaching to it, the matter has not as yet received the careful attention of historians, and writers have thus far preferred to use the subject as the basis of romances and fabulous tales of adventure such as are pleasing to juvenile tastes.

As early as 1653 we find accounts of the piratical excursions of Thomas Baxter, a resident of New Amsterdam. Holland and England were then at war, and it was Baxter's plan to pillage the Dutch vessels and towns and then take refuge in the harbors of the English settlers, who protected him from his Dutch pursuers. Others followed the example of Baxter, and the condition of affairs was such that acts of piracy could be committed with absolute impunity. The Dutch retaliated on the English and offered their ports as places of refuge for those who had plundered the English. The region about Long Island and the shores of the East River finally became so infested with these robbers that both the English and the Dutch found it to their advantage to take measures to suppress them. Stuyvesant raised a force, a part of which was always on guard. Yachts were kept plying along the coast keeping a vigilant watch for pirates, and severe penalties were inflicted on those who offered protection to suspicious characters; and it was only after these measures were rigidly enforced that the New Netherlanders were relieved of the excesses practiced by these freebooters.

Being thus driven from the scene of a profitable occupation, they were forced to find a new field in which to carry on their daring operations, and it is doubtless due to this interruption that we find them a few years later perpetrating their outrages along the coast of Delaware.

Delaware being then a part of Pennsylvania, it is, therefore, to the records and archives of the latter State that we must look for information and light upon this subject. The earliest appearance of pirates off the coast of Delaware, of which we have any definite knowledge was about 1685, but for the first two years they were not aggressive, and satisfied themselves with occasional sallies, accompanied by no great damage. In 1687, however, they suddenly became bolder and more audacious, and their hostile exhibitions were so frequent and devastating as to demand the attention of the government in England. Deeming it best to deal with them mildly at first, James II. issued an order requiring the colonial authorities to use every precaution to check the abuses and sent a fleet to aid them in the work; but he authorized the pardon of any pirate who, having been captured within twelve months of the date of the instructions (August 21, 1687), should give security to keep the peace in the future.

This last provision of the order had an effect

that was little expected or still less desired. The colonial officers used their newly-acquired prerogative of pardon for the most venal purposes, and the most notorious pirates, who were able to purchase their immunity, went free and unmolested, while those whose booty had not been sufficient to satisfy the avarice of the officers suffered the full penalty of the law. Moreover, they were extremely careless in the legal processes which the less fortunate freebooters were compelled to undergo, and many were convicted unjustly, through a desire of those in power to seem zealous in their enforcement of the King's commands. But complaints soon reached the ears of those in London, and a second letter was written, this one addressed to William Penn himself and dated October 13, 1687. The King requested his servants in the colonies to remedy the abuses named, mentioning particularly the unfair trials. He went further, however, and removed from them all original authority in the case of captured pirates, who were henceforth to be imprisoned until His Majesty's will should be known. In addition to this, Sir Robert Holmes was appointed a commissioner whose duty it was to decide in what cases pardon should be granted in pursuance of the first letter of instructions. In November the Privy Council met, published an order against pirates, and placed Sir Robert Holmes in command of a squadron to be sent out for the defense of the colonies, and as a reward for his services he was granted all property which might be taken from pirates within three years of the date of his commission. Early in the following year the King issued a royal proclamation condemning the pirates in the most severe terms and urging their hasty extirpation, commanding that those who, in contempt of His Majesty's orders, continue their abominable practices, be pursued "until they and every one of them be utterly destroyed and condemned."

Through these precautions the outrages perpetrated by the rovers of the sea were almost entirely abolished, and for a few years the inhabitants along the coast were able to manage their affairs in peace and contentment. Still, there was always cause for anxiety, and in the commission creating Benjamin Fletcher Governor of Pennsylvania, in 1693, he was given authority to raise forces to protect the colonists against pirates. Later in the same year the Governor recommended the erection of a fort on the Delaware River near New Castle for the security and defense of trade and the inhabitants, to which the Council readily assented.

When once the surveillance was relaxed, however, pirates again made their appearance. At a meeting of the Council held at Philadelphia in 1697, the Governor, William Markham, presented a letter from Penn, who was then in London

complaining of certain rumors which had reached England, to the effect that the colonists had not only been lax in their opposition to the pirates but had even harbored and protected them. The Council submitted this to a committee for investigation, and it was reported that these rumors were without foundation, that several of the crew of a pirate ship commanded by Avery (one of the most famous pirate captains) had been imprisoned and escaped to New York, but beyond this there could be no cause for complaint.

During the two years following, the audacity and impudence of the pirates continued to increase. On a September afternoon in 1698 there appeared off the cape at the eastern extremity of Sussex County a small sloop, which, although it had been noticed by the inhabitants, was not suspected of having evil designs upon the village. Early the next morning, however, it suddenly bore down upon Lewistown and landed fifty men well armed and thoroughly equipped for sacking the place. They plundered almost every house, using force to secure an entrance, and battering to pieces every chest and box, after they had once obtained admittance. All money or valuables of whatever nature were carried off, and one of the townsmen remarked, in his plaintive wail before the Governor's Council, that they were left with "scarce anything in the place to cover or wear." They killed a number of sheep and hogs and forced a number of the chief men of the town to assist them in carrying their booty on board, and even took the village carpenter prisoner. After having thus terrified and ruined the people they quietly sailed out into the bay and lay at anchor without fear of being attacked until a small brig appeared and tempted them to offer chase. The particulars of this occurrence were reported to the Council by four of the prominent citizens of Lewistown—Luke Watson, John Hill, Thomas Oldman, Jonathan Baily—who explained the dangers to which the town was exposed and asked for greater protection. The Council investigated the matter further, and it was learned that the sloop had been taken from John Redwood, of Philadelphia, as he was coming out of Cinnepuxon Inlet, by a pirate named Canoot, who abandoned his own vessel for a fleetier one. Many other crimes of similar nature were traced to Canoot and his pirate ship, and the Council at once empowered the Lieutenant-Governor to muster such forces as should be required to defend the coast towns and pursue their enemies. The expense required for this work was ordered to be raised by provincial tax, but the daring Canoot made good his escape. Nevertheless, several convictions of other pirates soon followed these new prudential measures, one of the most noteworthy being that of David Evans, who was accused of belonging to Avery's crew. This conviction was due largely to

the efforts of Robert Snead, who industriously sought to secure any evidence attainable against men suspected of piracy. On one occasion, however, his zeal carried him too far, and he was summoned before the Council for having advised the English authorities that Pennsylvania had become the greatest refuge for pirates in America, and that the officers refused to seize them, even when an opportunity presented itself. Although Snead promptly denied having written such reports, it appears that they were not altogether unwarrantable, or, at least, the precautions taken were not such as would be in accord with more modern ideas of guarding prisoners. The cases of Robert Brandingham and William Stanton will furnish an apt illustration. These two men were imprisoned in the county jail of Philadelphia under suspicion of piracy, and the Lieutenant-Governor having heard that they were allowed too great liberty, demanded an explanation from the sheriff. That functionary admitted that the prisoners were allowed to stroll about the town, but never without his leave and a keeper, and added, by way of apology, that he thought this might be allowed in "hot weather." Notwithstanding, the stern Lieutenant-Governor was not to be moved by humanitarian scruples, the sheriff was instructed to keep his prisoners in close confinement thereafter.

About the same time the Council delivered a severe reprimand to one of the Admiralty judges, Quarry, who had on his own account apprehended two pirates and sent them to West Jersey, his only excuse being that he was extensively engaged in trade, and acted purely in self-defense.

Toward the close of the year 1699, the inhabitants of the county of New Castle, presented a petition to the Council setting forth their grievances, from which many points of interest regarding the pirates may be gleaned. They mention the plundering of Lewistown in the preceding year, and also the capture of the brigantine "Sweepstakes," belonging to Col. Webb, a former Governor of Providence. This vessel, already laden and prepared for a voyage to England, was lying off the town of New Castle. On the night previous to the day set for her departure she was attacked by thirteen pirate ships, and carried off, with crew and cargo. The petition went on to mention the unfortunate situation of the town, the inability of the citizens to protect themselves from these on-slughters, and finally, the insufficiency of the fortifications. But despite all this, they met with little sympathy. The board laid all the blame for the delay in the construction of a fortress at the feet of the inhabitants themselves, they having long since secured permission to build it. As for a militia, they considered this a matter to be considered by a general Assembly, and they refused to grant even a hearing to their request for such aid, since the

people of New Castle had neglected to send representatives to the last meeting of the Assembly, which would have been the proper place to discuss matters concerning the good and safety of the government. Besides, the Council did not regard the prosperity of the colony as sufficiently great to warrant a large expenditure, and they had learned that in the neighboring and more flourishing colonies of Maryland and Virginia, where extensive fortifications had been erected and ships-of-war were continually plying, the pirates continued in their nefarious work, apparently unconscious of the presence of any opposition. In fact, the pirates would not infrequently attack the men-of-war with a vigor greater than usual, and seemed to find special delight in murdering His Majesty's marines. Consequently, with the exception of one or two new laws on the statute-books, the citizens of New Castle secured very little redress or satisfaction.

In April, 1700, the famous Capt. Kidd honored the people of Delaware with a brief visit. He doubtless considered that the spoils to be gathered from an attack on the towns would not repay the trouble requisite, and therefore did not molest them. He had, earlier in his career, made many attacks on the colonists, and Captains Kidd and Avery were the only men exempted from the privilege of pardon in the instructions sent from London some time previously. Although on this occasion he satisfied himself with anchoring at some distance from the coast, his visit was nevertheless the means of involving a number of the inhabitants in serious difficulty. Kidd had just returned from the East Indies, where he had been eminently successful in his depredations, and brought back a vessel heavily and richly freighted with the choicest products of the East. The importation of these goods into the colonies was strictly prohibited, but in direct antagonism to these laws, Wm. Orr, George Thompson, Peter Lewis and two others, all residents of Lewistown, boarded Kidd's vessel and purchased a large quantity of his plunder. They were successful in eluding the vigilance of Lowman, the collector at Lewistown, and had already managed to dispose of their goods before any information reached the ears of the authorities. Penn, who was at the time both proprietor and Governor, immediately on the discovery of the facts, secured their apprehension as accessories to the pirates and promoters of illegal trade. These cases attracted so much attention that once more the colonists received instructions from England regarding the suppression of piracy. This led Penn to call a special meeting of the Assembly to prepare a bill against pirates. He also appointed a committee of Council consisting of Edward Shippen, David Lloyd, Phineas Pemberton, Wm. Rodney and Caleb Pussey, who, in conjunction with an Assembly committee, were to draw up a

bill, and after debating for three weeks it was finally passed. This law was undoubtedly the most stringent that had yet been enacted. It was followed by a proclamation requiring all strangers traveling in the colony to show passes, which could only be secured after the identity of the person had been established beyond a doubt. All inn-keepers were required to give notice to a magistrate immediately upon the arrival of a stranger, or in case there happened to be no magistrate near by, "two housekeepers of the neighborhood" were to be notified. Even the ferrymen on the Delaware River were not permitted to transport a stranger or suspicious character, and were forced to give security, pledging themselves to abide by this provision. The Council also treated New Castle with less severity, paying for boats and liquors sent to that town when it was reported that French pirates threatened the town. The colonists had at last thoroughly awakened to the enormity of the offenses committed around them, and the jeopardy by which they were surrounded. They accordingly demanded appropriate legislation. The measures above mentioned were soon followed by an order making it the duty of the magistrates of Sussex County to keep a constant watch on the cape near Lewistown, and as soon as any vessel should appear off the capes, which, on any reasonable grounds, might seem to appear suspicious in its movements, they were forthwith to report to the sheriff of the county with an accurate description of the vessel. The sheriff of Sussex was to forward this information to the sheriff of Kent County, and it was to pass by special messenger from sheriff to sheriff through every county, until it reached the Governor at Philadelphia, who directed what action should be taken. The sheriffs were empowered to use horses for the messengers, and to avoid delay, the magistrates were to attend to these dispatches in the absence of the sheriff, and any expenses thus arising were to be paid by a provincial tax, levied for the purpose.

These several laws, proclamations and orders grew more salutary in the results produced by them, than any that had preceded. During the first eight years of the eighteenth century, the coast of Delaware remained unmolested by the pirates, while the people, undisturbed by their old oppressors, increased and prospered. In 1708, however, the troubles were once more renewed. The character of the water thieves had slightly, although not materially, changed, but the burden was, if anything, more difficult to bear. The dangers now to be guarded against were chiefly from French privateers, but the Dutch, Spanish and other nations were also engaged in similar occupations. In the year just mentioned, the masters of three vessels were taken by a privateer of great boldness named Castrau. They were Captains Philips,

of Boston, taken on his way homeward from North Carolina; Moody, of Pennsylvania; and Young, of London, who was captured within sight of land as he was sailing for the coast of Sussex County. Castrau and six other privateers spent their entire time sailing between Egg Harbor and Sinepuxent, and navigation between those points was soon rendered so dangerous that it became necessary to appeal again to England for assistance. The Governor of Pennsylvania called a joint session of the Council and Assembly, and presented in writing his views on the new sources of peril. The misfortunes with which the people were now beset exceeded anything they had experienced in the past. The coast of what is now Delaware, furnished the theatre for the most violent of these excesses. Navigation became almost impracticable, and the bravest sailors dared not leave or approach the coast and trade was, as a natural consequence, brought to a complete standstill. The Governor stated his opinion to be that, while the laws were quite rigid enough to suppress the evil, the officers through whom they were enforced were not sufficiently numerous to properly carry them into execution, and he warmly appealed to the Assembly to increase the number, and grant money supplies for any action that it might be necessary to take at once. The Assembly, however, were slow in levying a new tax, and remonstrated with the Governor, charging him with being derelict in his duty for not having reported the matter to the admiral before they came to their present deplorable condition; moreover, they insinuated that the taxes had not been applied as economically or as wisely as might have been possible. These complaints they forwarded to the Lieutenant-Governor, John Evans, who in turn submitted them to the Council. To this the Lieutenant-Governor prepared an elaborate reply, in which he showed that the only hope of relief rested in what the colonists were willing to do for themselves. Governor Seymour, of Maryland, the vice-admiral of the province, had no forces at his command which he could send to the assistance of his neighbors, nor was there any reason to suppose that aid might be expected from the Governors of any of the adjoining colonies. A detailed explanation of the manner in which the funds were disposed of was also incorporated in the response, and after again picturing the seriousness of the situation, a second appeal was made to the members of the Assembly. The letter elicited from the Assembly by this was based on a new line of argument. While admitting that the jurisdiction of the proprietary extended over a wide stretch of territory, they asserted that the legislative powers of the Assembly were limited to that portion of the province bounded by the Delaware River, and "goes no further down than twelve miles on this side New Castle." Moreover, they

cied decisions in the English Court of Exchequer, by which they attempted to prove that all authority on the high seas was in absolute possession of the crown, and the colonial officers had no power to encroach thereon. In their opinion, the only proper course to be pursued by the Governor was to communicate with the vice-admiral, who was not Governor Seymour, as he had stated, but Lord Cornbury, Governor of the Jerseys, who had always willingly granted them all the assistance in his power. This controversy between the Governor and the Assembly continued for three months, and was not terminated until it had resulted in causing an irremediable breach between the contending parties, and precipitated the retirement of Governor Evans. The importance of this dispute is of chief interest in so far as it widened the breach between the province and the counties comprising Delaware. New Castle, Sussex and Kent were, on account of their situation, more directly concerned in these contentions than those situated north of them. The continual recurrence of these quarrels produced no other effect than an irritability between the counties on the coast and those in the interior, and they may be considered an important factor in the events which brought about the final separation.

The unsettled condition of affairs which existed during the close of Governor Evans' administration was only made worse by a projected war against Canada by the English. Taking advantage of this, the pirates and privateers were more frequent than ordinarily in their visits, and at this time (1708-9) records are to be found of many attacks on both Lewistown and New Castle. Penn's secretary, James Logan, wrote to him in June, 1708, that the "coasts begin to be intolerably infested," and has "become a nest of privateers." He reported that in four days three vessels had been burnt and sunk in the river or off the capes. Three French men-of-war were stationed at Port Royal, one of fifty, one of forty-five and a third of twenty-six guns, with orders from the King to ply along the coast. They had brought over one hundred families with which to settle a French colony, and whatever booty they gathered in their cruises, from the British colonists, was used for the support of the new settlement. Logan humorously complained that "we have now four English men-of-war on those coasts, but they very exactly observe the late practice of the navy, that is, carefully to keep out of the enemy's way. They always see the privateers, but always something happens that they cannot fight them." The condition of affairs was at this time such that advices were sent to England to send no vessels direct to the Delaware, but first to Maryland, until it is learned whether it would be safe to enter the bay. Lewistown was again plundered in 1709, this time

by about one hundred men sent on shore by a French privateer. Additional troubles were caused by these attacks, owing to the refusal of the Quakers to bear arms, even in defense, which naturally caused the other inhabitants much displeasure.

Fortunately, Governor Evans' successor, Governor Charles Gookin, was not long in ingratiating himself with the people, and soon succeeded in inducing the Assembly to grant a liberal sum for the protection of the coast. Almost immediately after the Assembly had taken this action, tidings were received that the Queen had dispatched a number of men-of-war to assist in the work of saving her colonies from the grasp of pirates and



GOVERNOR SIR WILLIAM KEITH.

privateers. The co-operation of these two forces proved for a time an effectual blow to the plundering incursions and thieving attacks which the early settlers of Delaware continually suffered, and for nearly a decade the coast was undisturbed and free from hostile invasions.

In 1717 we again find the pirates forcing their objectionable presence upon the attention of the colonists. The renewal of their predatory atrocities necessitated the enactment of further measures of defense. On the recommendation of Lieutenant-Governor Keith, the Council willingly concurred in publishing a proclamation with a view of diminishing the number of their old tormentors. A tempting reward was offered to any person who should furnish the Governor or any magistrate with information leading to the conviction of any pirate

or other person who had interfered with the people in the peaceful pursuit of their affairs. Rewards were also offered for the capture of accessories and suspicious characters, and the Governor promised to exert himself to the utmost to secure the pardon of pirates who would surrender themselves or their accomplices. The proclamation had hardly been issued, when five pirates from the sloop "William's Endeavor," appeared before the Council, surrendered themselves, and demanded the pardon offered by the proclamation. The prisoners were John Collison, Hance Dollar, John Rennalds, Benjamin Hutchins and John Bell. Strangely enough, instead of remanding the prisoners to jail, until they were proved worthy of immunity, they were ordered not to be prosecuted until it might be learned that the crimes which they had acknowledged were such as to exempt them from the benefits of the proclamation. Such evidence was never procured, and the pirates were consequently not prosecuted.

In July, 1718, particulars reached the Council of far more serious piratical work. A number of mariners now appeared before the Governor and asked his protection. They had been employed in the merchant service, but had recently escaped from a pirate ship in which they had been held captives. When summoned to appear before the Council, they gave their names as Richard Appleton, John Robeson, William Williams, John Ford, Benjamin Hodges, John Barfield, James Mathews, Samuel Barrow, Gregory Margoveram, Renold Glorence, Walter Vincent and Timothy Harding. Appleton acted as spokesman, and narrated the trials and sufferings they underwent before they escaped, making an interesting and thrilling story of adventure. They had sailed from Jamaica early in the year in a ship fitted out for working wrecks. Death soon deprived them of their captain, and they met with little luck in their expedition. Meeting with another sloop, they willingly listened to the importunities of its captain, one Greenway, to mutiny, and place themselves under his command. They took Captain Greenway on board their own sloop, which was the better of the two, and put their own master on the other. Greenway had also brought his crew with him, and the arrangement had scarcely been completed when they informed their new associates that they were pirates, and had no other object in view in making the change than to secure additional men to assist them in their robberies. The men thus betrayed, were forced to serve their pirate masters in spite of all protests. This lasted several months before an opportunity was presented to escape. Their sloop had attacked an English vessel, and Greenway and several of his old crew boarded it to secure the booty. Those of the old crew who remained on board were drunk, and it was an easy matter to

bind them and set them adrift in a boat. Once freed, the captives hastily put out, and although Greenway made a desperate attempt to overtake them, they escaped unhurt, and at length reached the hospitable shores of the Delaware, where they put in for refuge. After hearing the story, Governor Keith ordered an inventory to be taken of whatever was found on their vessel. Captain Hardy was deputed for this work, and reported the sloop well equipped with powder, shot, guns, pistols, muskets, blunderbusses, cutlasses and other materials and implements necessary for the ocean encounters in which Greenway had been engaged, as well as a numerous collection of articles promiscuously gathered from his victims. Whatever was perishable was immediately sold and used for the protection of the people against pirates, while the rest was held subject to the order of the Admiralty Courts, and the men were suitably rewarded.

Other cases were continually reported, and the depredations again began to excite much alarm. It was reported that the famous pirate Teach, also known as Blackbeard, was in the vicinity, and the Governor at once issued a warrant for his arrest, but the rumor proved to be without foundation. It nevertheless became necessary to take special measures for the protection of the lower counties. Captains Raymond and Naylor were sent out with two sloops to clear the capes of the pirates, and did their work very effectually, while many prosecutions against the pirates were conducted in the courts.

After these attacks a respite was secured from the piratical invaders, but it was more to the gradual increase of the population than to the Governor's proclamations that the termination of the excesses was due. As long as the pirates were leniently dealt with, and allowed to go free on little more than their own promises of future repentance, they amused themselves by hoodwinking the officials, and without any scruples of conscience continued in their old trade. They either re-engaged in it by taking an active part themselves, or else kept their former comrades thoroughly informed of whatever action was taken against them, and furnished them with advice as to the best time to pounce upon their prey. The authorities finally discovered that they must deal summarily with the culprits, and promptly hung them as they were convicted. After the first quarter of the eighteenth century the visits from the pirates were few and desultory, but more trouble was suffered at the hands of the privateers. In 1732 the pirates were evidently reappearing, as the Council was obliged to furnish extra clothes during the winter for some who were lodged in gaol, but that they had lost the boldness which characterized their former exploits is quite clear.

By 1739 the privateers had begun to make their

raids at regular intervals on the coast, and the Assembly of the lower counties took the matter in hand. The Governor was empowered to appoint two well qualified persons or officers to keep a constant watch at Lewistown. Each inhabitant was required to keep himself armed with a musket, cartridge-box, twelve charges of gunpowder and ball, three flints, and a worm and priming-wire, and every one was instructed to yield absolute obedience to the commands of the officers in everything pertaining to the watch or defense, under penalty of a fine of five shillings. The officers called together all the inhabitants once a month between the 1st of April and 1st of October, and once every three months during the remaining period, for the purpose of drilling them and examining their arms and ammunition. The firing of three guns successively and the beating of a drum was the signal for calling the people together in the market-place with their muskets, ready to defend the town at the command of the officers. The Quakers were exempted by special provision, as were also all persons under fifteen and over sixty-three. Pilots were prohibited from boarding an inward bound vessel without a permit from the Governor, to prevent their possible assistance to an enemy or pirate. In the province, the appearance of privateers in the bay brought on the old trouble with the Quakers, who controlled a majority in the Assembly. In 1740, Governor Thomas urged them continually to decrease the dangers of navigating in the Delaware, and a long controversy resulted. The Governor was greatly enraged, and in a message to the Assembly indignantly asked them: "If your principles will not allow you to pass a bill for establishing a militia, if they will not allow you to secure the navigation of the river by building a fort, if they will not allow you to provide arms for the defense of the inhabitants, if they will not allow you to raise men for His Majesty's service, and on His Majesty's affectionate application to you for distressing an insolent enemy, if they will not allow you to raise and appropriate money to the uses recommended by His Majesty, is it a calumny to say that your principles are inconsistent with the ends of government at a time when His Majesty is obliged to have recourse to arms, not only to protect the trade of Great Britain and its dominions, but likewise to obtain redress for the injuries done to his subjects?" But with the exception of raising seven small companies, there was nothing further done at the time.

The wars in which the mother country became involved shortly after this gave an impetus to privateering expeditions on both sides. George II. issued a special proclamation, praying his subjects to fit out privateers for action against his enemies, which was read throughout the British Empire. Governor Thomas announced it in Pennsylvania,

and earnestly requested the people to exert themselves to the utmost in maintaining as many privateers as possible and promising his personal assistance whenever it would avail the least. As was to be expected, the French and Spanish retaliated, and the American coast swarmed with them, the people suffering the insults and gibes of their enemies, as well as losing their property. These outrages assumed their worst form on the Delaware during the summer of 1747. It became necessary late in June to place vessels bearing flags of truce under rigid restrictions before they could come up the bay, in order to guard against every possibility of surprise. Pilots were not permitted to conduct any ship up the Delaware River or Bay without a permit from the Council, and any ship coming up without obeying the regulations fixed was subject to capture. But it was impossible to keep the privateers out of the way. On July 12th a company of about fifteen or twenty men, either French or Spaniards, landed near New Castle and plundered the houses of James Hart and Edmund Liston, carrying off most of their property and slaves. About one o'clock in the afternoon the party came on shore in an open boat and landed about four miles above Bombay Hook, near Liston's house. They ran to a place where his daughter and a negro girl were crabbing and seizing the negress, bound her and put her in the boat; they then went up to Liston armed with guns, cutlasses and pistols, and admitting they were privateers, demanded his negroes, money and keys. He quickly complied, and they went through the place, taking clothes, bedding, furniture and whatever else they discovered, as well as a negro woman and two children. Having put these in the boat, they placed their pistols against Liston's breast and compelled him to lead them to Hart's plantation, about a half a mile distant. Hart saw them coming and closed his house and bolted the doors. They first chased a negro girl until they caught her, and then called out to Hart that unless he admitted them they would fire the house. He still refused and they commenced to bombard the house. A bullet struck his wife in the hip, and she bled so profusely that he surrendered and opened the doors. He was securely bound and the marauders then plundered the house, taking away the negro, all the wearing apparel, some gold buttons and other articles, valued in all at about seventy pounds. They forced Hart to return with them to Liston's, and after packing up all the booty gathered at both places they set out again for their boat. Liston and Hart at once informed Messrs. Jehu Curtis and John Finney of the affair, and the particulars were dispatched to President Anthony Palmer and the Council. Several members of the Assembly of the province were summoned,

including Messrs. John Kinsey, the Speaker, Thomas Leech, Joseph Trotter, James Morris and Oswald Peele. A conference was held between these members and the Council and measures necessary for defending the inhabitants were taken under discussion. As the Assembly controlled the funds, the Council was powerless to take any step incurring expense without their assent, and they had been summoned to state what measures they were willing to take. But the scruples of the Quakers again proved a stumbling block. The members of the Assembly at first refused to act at all, asserting that as they were then without authority from their Assembly, it would be useless to act in their private capacity, and on being pressed by the members of the Council, only gave the vaguest notions of what they might be willing to do. The privateers continued in their work without meeting with sufficient opposition to inconvenience them in the least. One of them manned a Cape May pilot-boat and sent it up the bay as far as Bombay Hook, plundering several of the best plantations in the lower counties on its trip.

Governor Reading, of New Jersey, was requested to give the New Jersey pilots instructions similar to those issued in Pennsylvania respecting the license required by vessels bearing flags of truce, and accounts of the troubles were also sent to the proprietaries, with a request for assistance. In the mean time the enemy continued plundering the colonists. The party who had robbed Hart and Liston, in sailing out of the bay, met a valuable ship bound for Philadelphia from Antigua, and carried her off. The Council continued to ask assistance from the Assembly of the province, as it was feared that at any moment the enemy might sail up to Philadelphia and sack the town. In their messages to the Assembly they pictured the effect of such an event in the most vivid manner, reminding them of the ruin and bloodshed that would follow; but the Assembly was not easily moved. They admitted that the enemy had been bold and ruthless in its actions, but thought it would "be difficult, if not impossible, to prevent such accidents." The length of the river and bay they considered ample guarantee against the destruction of Philadelphia, and they reminded the Council that their continuing to spread abroad reports of the "defenseless condition of the province," by sending messages to the Assembly, would have a great tendency to induce the enemy to attack them.

But no measures which the Assembly or Council or proprietaries took could prevent the pilots from refusing to earn a fee by objecting to conduct vessels into the bay, whether they were enemies or not. These pilots were, in fact, more willing to serve the enemy than the British, since the former were always willing to pay a larger sum for being

led through the capes. In September the watch at Lewistown was kept busy for several weeks expecting an attack, and on one day they reported two sloops putting up the bay, each attended by a pilot. Sometimes, however, even the well-intentioned pilots were deceived by the false colors of the privateer, and by the British seamen on board, some of whom were always ready to turn traitor for money. Several cases of this sort came under the notice of the Council. In one instance they learned of the particulars through the deposition of William Kelly, late in 1747. Kelly had been taken from the sloop "Elizabeth," off the coast of North Carolina, by a French privateer, "Marthel Vodroit," Captain Lehay. The vessel was of about ninety or a hundred guns, and after Kelly's capture, took six English prizes, one a sloop, about fifteen leagues off the capes of Delaware, and two ships in Delaware Bay, commanded respectively by Captains Lake and Oswald Eves. The privateer put into Cape May, and hoisted the English colors. There were Englishmen, Irishmen and Scotchmen in the crew, and when they were met by Pilot William Flower, the captain sent one of the Englishmen to give instructions. The pilot was naturally deceived, and obeyed his instructions, taking them into Cape Henlopen. Kelly informed him that the vessel was a privateer, but it was then too late, in the mind of the pilot; but nevertheless he promised to take the ship so near to the shore that Kelly might make his escape by swimming to land. When coming around towards Cape Henlopen they were boarded by another pilot, Luke Shields, who proved to be quite a different character. He and Flower were jointly placed in command of the privateer, but he refused to go near enough to shore to let Kelly escape, declaring that he proposed to take the vessel where she could capture the most prizes, since that was the purpose for which she had come, and no persistence on the part of Kelly could induce him to desist from this. It would therefore appear that to the venality of their own pilots the colonists could attribute much of their annoyance by the privateers. The pilots were no doubt doubly rewarded for leading the vessels clear of all opposition to those points most likely to contain a prize, and least apt to be defended.

During the summer of 1747 these attacks continued, keeping the inhabitants in the lower counties in a constant state of dread and terror. One or two incidents occurred to show the barbarous cruelty of these scoundrels, who spared no man's feelings and left nothing behind which it was possible to carry off. John Aris, a Philadelphia pilot, was coming up the bay one evening, having taken a ship beyond the capes, when he was hailed by some one on board a pilot-boat, when about ten miles below Reedy Island. A boat soon came alongside, and a number of Spaniards came on

board, and, with little ceremony, took his ring from his finger, his buckles and over three pounds in money. They also carried off his clothes, all the food on board, and all the sails belonging to the boat. They left him some mouldy bread and greasy water, and then retired, firing at him as they left. It was a curious coincidence that nearly every one who reported having suffered at the hands of the privateers reported that while a majority of their assailants were usually foreigners (Spanish or French), yet there was always some one in the party who used good English. It was concluded from this that there were many of the colonists, or perhaps British sailors, who were acting with the enemy,—a fact which might also have accounted for the successful manner in which their expeditions usually terminated. These cowardly and traitorous proceedings were carried on to an alarming extent, as the experience of the ship "Mary," of London, will illustrate. The captain, Bernard Martin, was just entering the Delaware capes, when he was hailed by a privateer of ten guns. He managed to elude her, however, but was met by a pilot-boat, which he knew, as well as the captain, who had often taken him up the bay. Martin allowed her to come alongside and threw him a rope, seeing no one on board except three or four Englishmen. But suddenly about thirty five Frenchmen and Spaniards sprang from the hatches, where they had been concealed, and boarded the ship, driving the crew before them at the points of their pistols. Martin offered some resistance, but they at once opened fire on him, wounding him in the cheek, in the arm and side and then knocked him down. They took command of the vessel, cruised off the capes for a few days and then placed Captain Martin and seven men on the pilot-boat and abandoned them.

As the winter of 1747 approached, the stress of weather put a check upon the privateering operations for a brief season. Most of them sought shelter in the West Indies, but reports continually reached the Delaware that a great raid was being planned for the opening of spring. The Philadelphians were especially alarmed at this. Associations were formed to defend the city, and application was made to secure cannon to be placed at proper places along the river. But the Assembly remained inexorable. Several companies were formed within the province and the lower counties and the construction of batteries was begun at different points on the river.

In April, 1748, the pilots of Sussex County sent in a petition to the Council, asking them to repeal the orders issued as to pilots conducting inward bound vessels, in order to enable them to earn a legitimate living in competition with the traitors who refused to obey the proclamations. This was signed by William Field, Luke Shield, Samuel

Rowland, Samuel Rowland, Jr., William Rowland, Simon Edwards, John Baily, John Maul, John Adams, all pilots at Lewistown. They also requested that influence might be brought to bear on the Governor of New Jersey to prevent the Jersey pilots from carrying on the same abuses. Both of their requests were complied with, but the restrictions in New Jersey remained loose and inoperative. As spring approached the privateers reappeared, and for three months their incessant attacks rendered matters worse than they had been on any previous occasion. As early as the 15th of May, Captain Pyramus Green was chased off Cape Henlopen by a French privateer, mounting fourteen carriage and sixteen swivel guns, and with a crew of one hundred and seventy-five men. His schooner, the "Phoenix," was laden with bread and Indian corn, and after the privateer had captured him they took the bread on board their own boat and threw the Indian corn overboard. They then placed about ten Frenchmen on board the schooner and sailed up the bay, stopping to attack a brigantine. While the men were boarding this the ropes gave way, and Captain Green was left in charge of his boat and made his escape. An account of this was sworn to before John Finny, David Bush, James Armitage and Wm. Patterson, of New Castle County, and sent to the Council. On this the Council made another attempt to secure assistance from the Assembly, but for a reply that body quietly stated that they did "not see what prudence or policy could be done in the present emergency. To send a vessel in pursuit of a privateer supposed to be at the capes, a late example may convince us that the privateers might and very probably would be out of reach before any vessel could get thither. And to keep a vessel constantly at our capes to guard our coast must be introductive of an expense too heavy, as we conceive, for the province to bear." And so they did nothing. About the middle of May His Majesty's sloop, the "Otter," arrived under Captain Ballet, with instructions from the Admiralty to cruise off the Delaware capes and protect the coast from the privateers. On his voyage, however, he had encountered one of the enemy in a four hours' engagement and was so much disabled that it required some time to make the necessary repairs. In the mean time the outrages continued. Toward the end of May a privateer captured the sloop "Three Brothers" off the capes. They took off all but the captain, George Porteous, his wife and son and an old man, and put on board three Frenchmen. They steered for the capes, accompanied by the privateer, but were separated from her in a storm. Porteous, his son, and the old man managed to secure the Frenchmen, and put into Lewistown for a pilot, bringing the three prisoners up the bay with them. Soon afterwards New Castle was threatened with de-

struction by the arrival of a Spanish privateer brig of fourteen guns and one hundred and sixty men. She had anchored off Elsenburg, about ten miles below New Castle, giving an English prisoner, George Proctor, an opportunity to escape by swimming to shore. He proceeded to New Castle, and informed the authorities that the captain of the brig, Don Vincent Lopez, had entered the river with the intention of capturing the large ship then lying near New Castle, and afterwards plunder and destroy the town. He had already been cruising off the capes and had captured several vessels and a pilot-boat, but was now in pursuit of larger prey. The privateer came up under English colors, within gun-shot of New Castle, but the people were prepared and opened fire from several guns. Lopez finding that his reception would be rather warm if he ventured nearer, slipped his cables and dropped down the river, huzzaing as he left, and hoisting the Spanish colors in place of the English. But this was not the last that was heard from Lopez. Captain Nathaniel Ambler reported shortly afterwards meeting with the Spaniard, that resulted more favorably for the latter than his New Castle expedition. On May 25th Ambler was anchored off Reedy Island, in company with three Boston sloops, which had been driven in by the privateers. Late in the evening three boats, from the Spanish privateer, approached them and captured all four sloops, stripping the crew and taking off all their clothes, only leaving each captain a pair of breeches. Captain James White also had an encounter with Don Lopez's men, about thirty of whom boarded his schooner off the high land of Bombay Hook, with pistols and cutlasses, plundered her and took the captain and his men on board the privateer. The long list of outrages of this character was daily increased by reports of others more daring and impudent. About the 1st of June, Abraham Wiltbank, a pilot of Lewistown, was appointed to command an intelligence boat. He plied up and down the river and bay from the capes to Philadelphia, reporting the force and movements of all privateers within sight. At New Castle there was, to be sure, a fort, but there were only four guns to be raised in the whole town. This number was increased by four six-pounders from Philadelphia, where they could ill be spared. The defenseless condition of the coast can therefore be well understood, and it is not to be wondered at that the privateers entertained no fear of whatever opposition might be offered.

In July a whole fleet appeared off the southern coast of the American colonies, under the leadership of Don Pedro, and for a time navigation was completely at a standstill. A part of the British squadron in New England was sent down and captured several of the privateers, and manned them to oppose their old allies, and in this way the robbers

were once more dispersed. At Wilmington preparations to meet them were made by the erection of a bomb-proof magazine and battery on the rocks of Christiana. In a note to President Palmer, of the Council, from David Bush, John McKinly and Charles Bush, they state that the battery had been viewed by many, and the universal opinion was that it equaled, if not exceeded, "any on the continent for strength and beauty." But to the two men-of-war, the "Hector" and "Otter," was really due the credit of finally clearing the bay and capes of Delaware of the privateers. They captured a number and disabled others, so that before the close of the year 1748 those that remained unhurt had sought more hospitable regions and the people were once more relieved from the strain incident upon the almost continuous presence of their enemies for two years. This was the last of the attempts, either of pirates or privateers, to make any concerted attack on Delaware, practically blockading the mouth of the bay. At rare intervals thereafter they would apparently spring out of the bosom of the waves and sweep down on an unsuspecting vessel; but they no longer acted with their former audacity, and scarcely ever came within reach of shore. As late as 1788 we learn of James McAlpine being convicted of piracy on the Delaware, but with this the curtain falls on this romantic and interesting phase of the history of Delaware.

CHAPTER XI.

BOUNDARY DISPUTES AND SETTLEMENT.

THE State of Delaware to-day could not well be made the subject of a boundary controversy, with its stiff, straight lines on the south and west, its short, regular curve on the north, and Delaware River and Bay and the ocean on the east, to mark its separation from any grasping neighbors. It lies between latitude $38^{\circ} 28'$ and $39^{\circ} 47'$ N. and longitude $74^{\circ} 56'$ and $75^{\circ} 46'$ W. This is indeed definite enough, but the disputes and contests between the several claimants of the territory, and the letters, documents and depositions that arose out of the boundaries of the territory upon Delaware, forms the story of a long and bitter struggle, which, on some occasions, did not fall short of bloodshed. If any palliating reasons are to be sought, we can only trace the origin of these troubles to the numerous changes in the proprietorship of the disputed ground, which took place so frequently for nearly a century after Hudson's advent, in 1609, and so deeply entangled had the claims and counter-claims become, that a second century was

drawing rapidly to a close before a pacific arrangement was finally agreed upon. In its checkered passage from the hands of the aborigines to the Dutch, then to the Swedes, and once more to the Dutch, then to the Duke of York and finally to Penn, it was more than likely that the title to this valued property should not remain indisputable. Surveying was rendered doubly difficult by the unexplored condition of the country, and inaccuracies in this quarter furnished a frequent source of controversy. But, above all, when grants and titles were issued by authorities three thousand miles distant, without facility for receiving any other information except the testimony of the applicant, it was not improbable that a single strip of land might be granted to two or even a greater number of petitioners.

The zeal of the Dutch in settling their newly-discovered territories, which extended from Delaware Bay almost to Cape Cod, naturally excited the British, who were interested in the Plymouth and Virginia charters. As early as 1621 they complained to James I. of the encroachments of the Dutch. At this early period it was a simple protest of the British against the title of the Dutch to the New Netherlands, which included New York, New Jersey and Delaware. The matter was brought to the attention of the States-General of Holland, but on the death of King James the affair was still badly complicated. Under Charles I. the dispute continued. The New Netherlands had now come under the management of the Dutch West India Company, but now, in their turn, they were much annoyed by the bold encroachments of the English. One of their largest vessels was seized; they placed the matter in the hands of the States-General, who decided to firmly maintain the rights of the company. The English were equally positive in their determination to resist the Dutch aggressions, and the trouble over the boundaries gave rise to intense feeling on both sides. The addition of new purchasers, who might be possible disputants, had no tendency to unravel the entangled claims. Godyn and Bloemart had bought a strip of land from the natives in 1629, extending thirty-two miles inland from Cape Henlopen, and two miles in breadth. De Vries started a small colony near the Cape in 1631, and in the same year new purchases were made from the Indians on the east side of the Bay. The year 1632, however, stands out as a prominent landmark in the history of the disputes, for it was then that the famous charter was granted to Lord Baltimore, on which he afterwards based his claims to the land on the west side of the river Delaware. It was granted on June 20, 1632, and contained the following terms: "We (Charles I.) do give, grant and confirm unto Cecilius, Baron of Baltimore, his heirs and assigns, all that part of

the peninsula, or chersonese, lying in the part of America between the ocean on the east and the Chesapeake on the west, divided from the residue thereof by a right line, drawn from the promontory or headland called Watkins Point, situate upon the bay aforesaid, near the river Wigheo on the west unto the main ocean on the east, and between that boundary on the south unto that part of the Bay of Delaware on the north which lieth under the fortieth degree of north latitude, from the equinoctial, where New England is terminated, and all the tract of that land within the metes underwritten—(that is to say) passing from the said bay called Delaware Bay, in a right line by the degree aforesaid, unto the true meridian of the first fountain of the river of Potomac, thence verging towards the south unto the farther bank of the said river, and following the same on the west and south unto a certain place called Cinquack, situate near the mouth of the said river, where it disembogues into the aforesaid bay of Chesapeake, and thence by the shortest line unto the aforesaid promontory or place called Watkins Point."¹ The petition of Lord Baltimore, in compliance with which the grant had been issued, set forth that the territory was "not then cultivated and planted, though in some parts thereof inhabited by a certain barbarous people having no knowledge of Almighty God," and it was this declaration which was afterwards made an important factor in the struggle. These limits included not only the present State of Maryland, but all of Delaware and a part of Pennsylvania and Virginia. The remonstrance came first from the last quarter, but that controversy does not bear upon the matter in hand with sufficient import to warrant our entering upon details.

The arrival of the Swedes in the Delaware, in 1638, marks another epoch in the narrative. We have seen in the chapter on the Swedish settlements that Usselinx, disgusted at his treatment by the Dutch, had entered the service of Sweden, and with Peter Minuit had superintended the expedition of 1638. Opposition was at once elicited from the Dutch through William Kieft, Director-General of the New Netherlands, but Minuit persisted, and the erection of Fort Christina gave definite shape to his plans. Two years later the first English settlements on the Delaware were begun by the purchase of land on both sides of the bay by Captain Turner, the agent for New Haven.² The purchases of the English continued for several years, and their possessions soon aggregated a considerable quantity of land, although they were forced to contend with the attacks of the Dutch and Swedes.³ It can now be readily seen that by

¹ The river Wigheo was the same as that now known as the Pocomoke, and Cinquack is now Smith's Point.

² Hazard's "Annals of Pennsylvania," p. 58.

³ Brodhead's "History of New York," vol. I., p. 385.

the middle of the seventeenth century the territory now known as Delaware was subject to many owners, each trying to interfere with and prevent the advance of the others. In 1650 the first important conference over the boundaries was convened at Hartford, for the purpose of settling the disputes between the Dutch and the English of New Haven, who had purchased land on the Delaware. The meeting was called at the suggestion of the commissioners of the United Colonies, and Stuyvesant willingly assented. The negotiations were at first conducted in writing; but this method proved irksome, and consumed so much time that a new plan was soon adopted. Each of the parties involved appointed two commissioners to represent them, the four to form a board of arbitration to settle the disputed questions. Stuyvesant appointed Ensign George Baxter, and Captain Thomas Willett, while the New England commissioners selected Symon Bradstreet and Thomas Prence. Their deliberations, however, resulted in no definite conclusion. The New Englanders asserted that the Dutch had encroached on their land, and that they had in consequence suffered damages to the extent of £1000. Stuyvesant denied this, but stated that as these alleged invasions of English rights had occurred during the administration of Governor Kieft, he was unable to deal with the matter intelligently. Both parties at length agreed to refer the decision to England and Holland, and in the mean time agreed to pursue their interests on the Delaware without interfering with one another.¹ The New Haven people started out soon afterwards with a new colony to settle on their lands in the Delaware, but, touching at New Amsterdam on their voyage, they were all placed under arrest. They insisted that they had no intention of settling elsewhere than on their own land, which was their privilege, according to the agreement of the arbitrators. The Director-General thought that they had come with a view to extending their territory, and refused to let them proceed, and the trouble over the boundaries was once more opened between the English and the Dutch.

In the same year, 1651, an attempt was made to reach an agreement about the extent of the lands held by the Swedes and Dutch on the Delaware. The Swedes had suddenly exhibited an exceedingly bold spirit, committing many acts of violence upon the Dutch with the evident purpose of dispossessing them of the whole river. Being unsuccessful at this, they endeavored to purchase land from the Indians, who refused to sell, but gave the Dutch all the land from Bombay Hook to Christina Creek.² Another unsuccessful attempt was made by

Stuyvesant in 1653 to adjust the differences with the New Haven owners of property on the Delaware, by appointing three new commissioners to meet a like number to be named by the United Colonies. The negotiations had hardly been begun, however, before the Dutch agents abruptly departed without any instructions from their Governor, leaving the matter in its old shape. An epistolary attempt to come to an agreement was then begun by a letter from Stuyvesant to the New England commissioners, but they held that the seizure of the vessel at New Amsterdam had been too great an affront for them to consider any further arrangement with the Dutch. It was they, however, who reopened the discussion a year later by writing to Governor John Rising, the newly-arrived Swedish agent, but again without result. The affair had now been brought to higher authorities and correspondence was conducted between England and Holland relative to the subject of boundaries on the Delaware, and this was equally barren of results. In 1655 John Cooper and Thomas Munson applied to the court of New Haven for the protection of two magistrates and also a supply of guns and ammunition, to take with them in an attempt to settle on their land in the Delaware. The court agreed to this, but the discouraging reports which were brought from the Delaware at this time dampened the ardor of the new colonists, although some were still willing to make a start, but nothing came of the expedition.

The capture of Fort Casimir by the Dutch in 1655 practically settled the disputes between the Dutch and Swedes, leaving the former complete masters of the situation. The history of the colony under the Dutch has already been treated at length. The severity of Alrichs' administration at New Amstel drove six soldiers to desert from the Dutch service and seek refuge in Maryland. At a meeting of the Council of New Amstel in 1659 it was decided to request Governor Fendall, of Maryland, to return the deserters. The Dutch now began to fear that the English would encroach upon them from a new quarter, as they had hitherto been doing from New Haven. A letter was dispatched to Colonel Utie, the leading magistrate of Maryland and a member of the Governor's Council, requesting that it be forwarded to the Governor. Colonel Utie consented, but at the same time informed the messenger that the Governor and Council of Maryland had already issued instructions in January ordering him to "repair to the pretended Governor of a people seated on the Delaware Bay and inform them that they were seated within his lordship's province with his notice."³ He further stated that Lord Baltimore had ordered the land within the limits of his charter of 1632 to be resurveyed, with a view to assuming defin-

¹ Hazard's "Annals of Pennsylvania," pp. 120-122. Vincent's "History of Delaware," pp. 209-211.

² O'Callaghan's "History of the New Netherlands," vol. II. p. 166.

³ McMahon's "History of Maryland," p. 23.

its jurisdiction over the whole. The receipt of this intelligence produced great consternation at New Amstel, and Stuyvesant writes that in a short time "fifty persons, including several families, removed to Maryland and Virginia," leaving scarcely thirty families in the town, while other places were day by day growing worse and worse. This was the first claim entered by Lord Baltimore to the territory over which a heated struggle was destined to rage for more than a century. The affair was brought before the Maryland Council on August 3rd (O. S.), and Utie was further instructed "that, in case he find an opportunity, he insinuate into the people there seated (on the Delaware) that in case they make their application to his Lordship's Governor here, they shall find good conditions, according to the conditions of plantations granted to all comers into this province, which shall be made good to them, and that they shall have protection in their lives, liberty and estates, which they shall bring with them." On the same day the Governor of Maryland wrote to the Governor of the territory of the Delaware giving him notice to depart. With reference to the disputed lands he said: "I can by no means acknowledge any for Governors there but myself, who am by his lordship appointed lieutenant of his whole province, lying between these degrees, 38 and 40, but do by these require and command you presently to depart forth of his lordship's province, or otherwise desire you to hold me excused if I use my utmost endeavor to reduce that part of his lordship's province unto its due obedience unto him."

Colonel Utie reached New Amstel in September, with Major Jacob De Vrintz and several others who made up the commission. Several days were spent in reconnoitering and questioning the settlers, and on the 8th a conference was held with Alrichs and Commissary William Beekman. Three of the fugitives were handed over, and Utie then plainly stated that the people must either leave or declare themselves the subjects of Lord Baltimore, and if they refused to submit to either of these alternatives he could not hold himself "responsible for the innocent blood that might be shed on that account." Alrichs remonstrated that they had been in possession for many years, and held their land by an octroi of the States-General and the directors of the West India Company. The Marylanders were obstinate and irritable and refused to argue, but demanded an immediate and positive statement from the Dutch as to what they proposed to do. Alrichs now endeavored to secure delay by a proposition to submit the whole question to the mother countries. Failing in this, he requested three weeks in which to confer with the Director-General of the New Netherlands, to which Colonel Utie reluctantly consented. The next day, however, the Dutch submitted a written protest signed

by Alrichs, Beekman, Alexander D'Hinoyossa, John Willienison, John Crato, Hendrick Ripp and G. Van Swerigen, the secretary of the Council. They complained that the citizens of the Delaware had been enticed into Maryland by alluring promises, some of whom had thus escaped service which they were bound to render, and others had left behind them heavy pecuniary obligations. Objection was also made to the form of the instructions held by Utie, which were simply signed by Philip Calvert, secretary, but contained neither place nor date; but Utie paid little attention to this. The particulars of the affair were forwarded at once to Stuyvesant, who replied on the 23d, censuring Alrichs and Beekman for allowing Utie to proceed as far as he had already done and also for promising to reply within three weeks. He severely reprimanded them for recognizing Utie at all, with the defective credentials which he brought, and by way of reproof removed the management of the affair from their hands and appointed instead Captain Martin Krygier and Cornelius Van Ruyven to have entire control of the controversy with Maryland. Krygier was at the same time commissioned as commander of all the militia on the Delaware, and sixty men were placed under him to repel any inroads from Maryland. The new agents were also instructed to treat Utie as a spy unless, on his return, his papers were less defective than when first exhibited.

Rumors soon came from Maryland that Utie, who had returned on the 11th, was preparing to return to New Amstel with a force of five hundred men. Stuyvesant thereupon appointed two commissioners, in the persons of Augustine Heermans and Resolved Waldron, to proceed to Maryland with a letter and orders to request, in a "friendly and neighborly way, the redelivery and restitution of such free people and servants as for debt and other ways have been fled, and as to us is given to understand that for the most part are residing in his honor's government, especially about a year since have gone out of this colony of the high, well esteemed lords governors of the city of Amsterdam; which if you do, we are ready to assure you, that in maintaining of good justice and neighborly duty, to do the same beside all those that may come runaways to us out of any of your neighbor governments." If Governor Fendall refused to comply the commissioners were to inform him that the Dutch would retaliate by offering full protection to whatsoever fugitives might seek refuge on the Delaware. With regard to Colonel Utie's expedition, the letter bitterly complained both on the ground of the absence of all justice and the harsh manner in which it was conducted, and the commissioners were instructed to demand full reparation for the injuries "already sustained by his frivolous demands and bloody

threatening." On the 30th of September Heermans and Waldron set out on their journey to Maryland. Their guides were savages, and with a small convoy of soldiers they set out on what was then a rather perilous trip. They had not progressed far when the Indians declined to proceed. They finally induced them to advance a little, but as soon as a river was reached they dismissed all but one. They embarked in an old, dried-up boat, which they found on the shore, but were forced to calk it with rags, and one man was constantly employed in bailing it out. Thus they reached the Elk River, and after a brief rest in the woods, proceeded to the Sassafras. Here they found one or two deserters, who, on promise of a pardon, agreed to return to New Amstel within a month, but met with much opposition from others. At the mouth of the Sassafras, which they reached on October 2d, they heard a heavy fusilade at Colonel Utie's place, and supposed that this was a company preparing for an attack on the Delaware settlements. On the 3d they stopped for a while with Captain Wilke, one of the magistrates of Kent Island, and a considerable discussion ensued on the issues between the two governments, but in a friendly way. Here they secured a new boat and guide at forty pounds of tobacco a day, and on the 7th arrived at Secretary Calvert's house, at Patuxent. They dined together on the next day, and discussed the subject of their mission, and the same programme was also carried out on the 12th, this time the argument becoming rather heated. On the 16th the Governor announced his readiness to meet them, and two horses were sent to convey them to the house of Mr. Bateman at Potusk, about eighteen miles distant, where the meeting was to take place. After a pleasant dinner the papers were produced and the negotiations were begun with the Governor and Council. The preliminaries were quietly conducted, but Colonel Utie, who was also present, soon became excited and declared that if "the Governor and Council would be pleased to renew his commission, he would do once more what he had done before." The New Netherlanders mildly replied that if that were done, he would be considered a disturber of the public peace and would be treated as such. This brought on a heated battle of words, which lasted some time. The Dutch had put in a claim for all land between the degrees of 38° and 42° north latitude, and the Marylanders finally broke up the meeting by asserting that they were unable to take any further action without consulting Lord Baltimore. The friendly relations were once more resumed after the meeting adjourned, and the matter discussed by all parties unofficially. On the 17th a copy of Lord Baltimore's grant was submitted to the Dutch at their request, and they now for the first time discovered that passage in which Lord Baltimore

asked for a charter over a region "*hitherto uncultivated, and partly occupied by savages having no knowledge of the Divine Being.*" When they reassembled in the evening, this passage was urgently put forward by the Dutch as being quite sufficient to invalidate Baltimore's present claim, since the region had undoubtedly been settled by civilized people prior to 1632, when the charter was granted. Governor Fendall replied that this was known to the King, and demanded the charter by which the Delaware territory was held, but Heermans and Waldron refused to exhibit it. It had now become so evident that no permanent arrangement could be concluded at this time, that very little effort was made after this, and on the 20th the commissioners left, Waldron returning to New Amstel at once, while Heermans proceeded to Virginia to obtain the opinion of the Governor of that colony on the subject of dispute. O'Callaghan, in his "*History of the New Netherlands*"¹ expresses the following opinion of the action of the Dutch commissioners at their meeting with the Maryland Council in 1659: "They evinced a tact and shrewdness of a high order; and it is doubtful now whether, in the prolonged suit which occurred subsequently between the patentees of Maryland and Pennsylvania, any solid plea was brought forward against the Baltimore claim that was not already anticipated in the Dutch papers. And no man can rise from a perusal of the whole of the pleadings without being convinced of this—that if the State of Delaware now occupies an independent rank in this great republic, she is indebted mainly for that good fortune and high honor to the stand taken by the Dutch in 1659."

As soon as was possible Stuyvesant acquainted the directors of the West India Company of the trouble with the English and in 1660 received a letter in which they expressed the opinion that "if they (the English) won't be persuaded, they must be dislodged." Lord Baltimore, who was at this time in London, issued orders to his agent in Holland, Captain James Neal, to demand of the company the surrender of all lands on Delaware Bay. On September 1st, Neal conferred with the Council of Nineteen with regard to the matter, but their response was merely the firm expression to maintain their rights to territory which they claimed by purchase and priority of possession. The Council of Nineteen then prepared an address to the High Mightinesses of the States-General, requesting them to send an appeal to the King of England to command Lord Baltimore to desist in his encroachments. In May, 1661, at a meeting of the Council of Maryland, the whole trouble was settled for a short while by the passage of the following resolution: "That as it is a matter of doubt whether New Amstel lies below the 40th degree of north lat-

¹ Vol. ii., pp. 387-388.

tude, and as the West India Company appears resolved to maintain their possessions by force, and there is no prospect of aid from the other colonies in any attempts which they might make to reduce them, all further efforts for their subjugation should be delayed until the will of the proprietary can be ascertained and that in the meantime some effort should be made to determine whether the settlement was located within the limits of the grant." Lord Baltimore nevertheless took the additional precaution of securing a confirmation of his patent from the King, on July 2, 1661, so as to be better prepared to meet Dutch claims in the future.

The boundary disputes were now allowed to remain undisturbed for a few years, but with the transfer of the New Netherlands to the Duke of York, in 1664, a new factor was introduced. The accession of an English Governor somewhat appeased the desires of Lord Baltimore, and he was during a brief period a source of no annoyance to the proprietors of the Delaware region. That his claims were not completely dropped is evident from a minute of the Council in 1672, from which it can be inferred that in that year the Marylanders had again sent their agents to the Delaware, who, without any ceremony, had proceeded to survey the land with the apparent purpose of asserting their authority over Whorekill. Later in the year a Marylander named Jones created a considerable disturbance there by plundering the people and magistrates, and the affair was taken up by the Governors of the two provinces. This it was feared was another attempt to gain possession of the territory for Maryland, but it appears to have been no more than an outrage by private parties. A similar attack was made in 1674. These were quite sufficient to make the Marylanders a constant object of dread and suspicion to the inhabitants on the Delaware. This is illustrated by an incident in 1677. It was learned that Colonel Coursey was going to New York as an agent from Maryland, and would pass through New Castle. When it was heard, however, that he would be accompanied by a number of others, a special meeting of the commander and justices was called and the militia was summoned to appear with arms and ammunition, under Captain Cantwell, and await the arrival of Colonel Coursey. But it was nevertheless ordered that in case the colonel should announce his arrival and business, that he be hospitably received. It was in 1678 that the boundaries were agreed upon between Upland and New Castle Counties. The decision was reached on November 22d between the Upland Court and President John Moll, of the New Castle Court, and declared the "county of Upland to begin from the north side of Oole Fransen's creek, otherwise called Steenkill, lying on the *bight* above the *Verdrietige Hoek*, and from

the said creek over to the *single tree point* on the east side of this river."

In 1640 Penn's petition came up before the Lords of Trade and Plantation, praying for a grant to certain lands in America. The petition was submitted at once to Lord Baltimore's agents to learn to what extent, if any, his lordship's property was co-extensive with the territory asked for by Penn. Messrs. Barnaby Dunch and Richard Burk, the agents referred to, replied that "it is desired, that if the grant pass unto Mr. Penn, of the lands petitioned for by him, in America, that it may be expressed to be land that shall be north of Susquehana fort, also north of all lands in a direct line between the said fort, for said fort is the boundary of Maryland northward. It is further desired that there may be contained general words of restriction as to any interest granted to the Lord Baltimore and saving to him all rights granted." A letter was also received from Sir John Werden, secretary of the Duke of York, in response to an inquiry sent by the Lords of Plantations, in which he stated that the boundaries of the territory petitioned for by Mr. Penn agreed with "that colony or plantation which has been hitherto held as an appendix and part of the government of New York, by the name of *Delaware Colony*, or more particularly *New Castle Colony*, that being the name of a principal place in it." The Duke of York had willingly assented to the grant, and efforts were now made to so arrange matters that a permanent check should be given to disputes over the extent of territory occupied by the various proprietors in America. We shall see subsequently with what little success this was done. After considerable parleying the charter was issued to Penn, on March 4, 1681, and granted to Penn, in consideration of the services of his father,

"All that tract or part of land in America, with the islands therein contained, as the same is bounded on the east by the Delaware River, from twelve miles distance northward of New Castle town, unto the three and fortieth degree of northern latitude, if the said river doth extend so far northward; but if the said river shall not extend so far northward, then by the said river so far as it doth extend; and from the head of the said river, the eastern bounds are to be determined a meridian line to be drawn from the head of the said river unto the said forty-third degree. The said land to extend westward five degrees in longitude, to be computed from the said eastern bounds, and the said lands to be bounded on the north by the beginning of the three and fortieth degree of northern latitude and on the south by a circle drawn at twelve miles distance from New Castle, northward and westward, unto the beginning of the fortieth degree of northern latitude, and then by a straight line westward to the limits of longitude above mentioned."

This singular definition of the southern boundary left it an open question whether this boundary circle was to be a circle of twelve miles in circumference, or to be drawn around a diameter of twelve miles passing through New Castle, or with a radius of twelve miles beginning in New Castle, and was therefore the principal source of the future contention between Baltimore and Penn.

Penn's deputy, Captain William Markham, arrived in America towards the end of August to take

charge of the newly-acquired territory.¹ He at once visited Lord Baltimore, bearing letters from both Penn and the King requesting an early settlement of the boundaries. Baltimore expressed his desire to accomplish this, and fixed upon October 16th as the date in which he would hold a conference; but this engagement was subsequently canceled owing to Markham's indisposition. Baltimore gave him firmly to understand, however, in the first interview that he possessed an undisputed title to all land up to the fortieth degree of north latitude, and at this same time it was learned, to the surprise of all, that Upland was situated several miles below that limit.

In the mean time Penn induced the Duke of York to deed New Castle to him, and two deeds were issued by His Highness in 1682, one conveying Pennsylvania and the other "the town of New Castle and all that tract of land lying within the compass or circle of twelve miles about the same," and all that tract of land extending southward from it, along the Delaware, to Cape Henlopen. This latter deed, however, it was clear, would be certain to provoke great opposition from the Marylanders, since the Duke's patents did not include the territory granted away.² Armed with the two documents, Penn set sail and reached New Castle on October 27, 1682. In December he held his first interview with Lord Baltimore at the house of Colonel Thomas Tailler, in Anne Arundel County. Baltimore insisted on 40° as being Penn's southern boundary, but the latter endeavored to satisfy him with 37° 51', which offer was politely rejected. It was not the northern boundary, however, so much as Penn's purchase of the lower counties from the Duke of York, which irritated Baltimore, and fixed him in his determination to secure them if possible.³ For we find him remarking, in the course of the conference, "Mr. Penn, you did, I remember, once propose to me in England that you had offers made you of that part of Delaware from his Royal Highness (the Duke of York) which I lay claim to; but you would not, as you then said accept thereof because you knew it was mine. The same, I hear, you have now possessed yourself of. I only desire to know what you claim." Penn evaded the point, and the conference closed without any approach to an arrangement, and the next meeting between them, held at New Castle in May, 1683, ended similarly. In June Baltimore wrote to England in the following terms:

"That which I now presume to beg at your hands is that you'll favor me so far that, should Mr. Wm. Penn move his majesty for any further order and commands in relation to the bounds of Maryland and Pennsylvania, that nothing be granted until I am heard at the council board, and that nothing be obtained by Mr. Penn to the prejudice of my interest on Delaware River, where Mr. Penn pretends to hold a great part of my province by a title (as he saith) from his highness the

the Duke of York. In May or June next I will make my personal appearance and make my defence."⁴

Penn in his turn forwarded a long letter to the Lords of Trade and Planting setting forth his version of the controversy, and asking for an interpretation of the question at issue favorable to himself. Lord Baltimore had now begun to be somewhat aggressive, and issued a proclamation inviting colonists to settle in the lower counties and take patents from him, offering exceedingly low prices as inducements. In addition to this, he appointed his cousin, George Talbot, in September, 1683, as a commissioner to demand of Penn all land on the Delaware south of the fortieth degree of north latitude.⁵ Talbot delivered his demands in writing and Penn replied in a document of great length reviewing the whole situation, and denying all rights to the intruders, and here the matter was allowed to drop once more. But it was with this visit to Talbot that we may associate the beginning of Lord Baltimore's attempts to stir up rebellion in the lower counties, which we have seen in a subsequent chapter (on Colonial History, 1704-75) entered as an important element among the causes which led to the separation in 1704.

About this time some correspondence was exchanged with the Jersey authorities relative to lands, but the disputes were never of great importance, the bay and river forming a very distinct line of division. As early as 1678 complaints were lodged against Major Fenwick and others who had interfered with the people on the Jersey shore in the rightful possession of their lands, and the authorities at New Castle were ordered to check any further abuses of a similar character. In 1683, however, the relation between the two governments had assumed a new phase. In that year Penn appointed a commission, consisting of Christopher Taylor, James Harrison, Thomas Holmes and Thos. Winne, to confer with the Governor and Council of West Jersey, respecting "certain great wrongs and injustice done to me and this province by some of the inhabitants of their colony." The commissioners were instructed to demand satisfaction for the misdemeanors of certain individuals. Penn then adds that "after all this is ended, insist upon my title to the river, soil and islands thereof according to grant, and if they will deliver up peaceably the islands of Matinicum and Sepassing, return one-half of the island of Matinicum before the town, according to my former clemency." The documents relating to these controversies between Pennsylvania and New Jersey are unfortunately incomplete, and it only appears as a definite fact that the inhabitants of the lower counties and their opposite neighbors on the Jersey shore, had been at various times encroaching on each other's

¹ *Pennsylvania Magazine*, vol. vi. p. 414.

² Chalmers' "Annals," p. 643.

³ *Pennsylvania Magazine*, vol. ix., p. 256.

⁴ Report of Virginia Commissioners on Maryland and Virginia Boundaries, 1873, p. 243.

⁵ Proud's "History of Pennsylvania," vol. i. p. 274.

property.¹ But no serious dispute ever resulted from these early misunderstandings, as both parties seemed desirous of reaching a just settlement.

The dispute between Penn and the authorities of Maryland assumed an alarming aspect at the beginning of 1684, from a hostile invasion of the lower counties. Colonel Talbot was again at the head of this expedition with a force armed with guns and axes. They terrified the people throughout New Castle County with threats, but their main object was plainly to disaffect the inhabitants from any sympathy with Penn's government. This was fully appreciated by the Pennsylvanians, for when Penn issued a commission to William Welsh, John Simcock and James Harrison to defend the lower counties, they were instructed to put down all "rebellious practices," as well as to put down the riots of the Marylanders. An instance of Talbot's proceedings was furnished to the Council at Philadelphia in a letter from Samuel Land, of New Castle, dated May 30th. He acquainted them that the colonel had visited the houses of Jonas Erskine, Andrew Tille and a widow named Ogle, all residing near New Castle; and, accompanied by three musketeers, to add force to his demands, had informed them that unless they would acknowledge Lord Baltimore as their proprietor within three weeks, and pay their rents to him in the future, they would be dispossessed of their land and turned out of their homes. The testimony of Joseph Bowle before the Council, recounting his experience with Talbot, gives a vivid idea of the extent to which the abuses were carried. Bowle, who lived at Iron Hill, about eight miles distant from New Castle, attested that "Colonel Talbot ridd up to his house and was ready to ride over him, and said, 'Dam you, you Dogg, whom do you seat under here, you dogg! You seat under noe body; you have noe Warrt from Penn no my Lord; therefore gett you gon or Else I'll sent you to St. Murry's;' and I being frightened, says he, 'you Brazen-faced, Impudent, Confident Dogg, I'll Sharten Penn's Territories by and by.'"

This latest outrage elicited a declaration against Lord Baltimore from Penn, reciting the whole history of the trouble between the two proprietors. This was forwarded to the Lords Commissioners of Trade and Plantations. Penn and Baltimore both went to England and the matter was taken in hand by the King's officers. The arguments on both sides were submitted with great force. Lord Baltimore was content with the positive terms of his charter. Penn, in his turn, arrayed a long series of objections, with greater vigor than ever before, against the validity of his opponent's claim. His own grant of Pennsylvania was the first weapon used for the attack; he followed this up with the grant of the Duke of York, but neither of these arguments

availed. He was forced to find more powerful means of assailing his enemy, and his search was in the end highly successful. He now asserted that the Delaware lands had been purchased and *settled* by the Dutch before Lord Baltimore's charter was granted. It will be remembered that Lord Baltimore's charter of 1632 had in express terms declared that he had prayed for lands which were uncultivated and uninhabited, except by savages. If it were now proved that this disputed territory was not only cultivated, but inhabited by a civilized people at the time of the granting of the charter, the Marylander's case would certainly receive a severe blow, and this was shown to be the case by Penn to the satisfaction of the Lords of Trade and Plantations. Not even at this point did the inexorable Penn rest his case, but further insisted that Baltimore being entitled to an extent of territory covering but two degrees of latitude, his northern boundary should be determined by measuring two degrees of sixty miles each from Watkins Point, the acknowledged southernmost limit. It was the third point, however, which influenced the arbiters in their decision, for we find their opinion to be that "Lord Baltimore's grant included only lands uncultivated and inhabited by savages, and that the territory along the Delaware had been settled by Christians antecedently to his grant, and was therefore not included in it." Their ultimate verdict was not, however, a complete acknowledgment of the justice of Penn's claim, but partook rather of the nature of a compromise, and in November, 1685, a decree of King James' Council was issued ordering "that for avoiding further differences, the tract of land lying between the bay of Delaware and the eastern sea on the one side, and the Chesapeake Bay on the other, be divided into equal parts by a line from the latitude of Cape Henlopen to the fortieth degree of north latitude the southern boundary of Pennsylvania by charter, and that the one half thereof, lying towards the bay of Delaware and the eastern sea, be adjudged to belong to his majesty, and the other half to Lord Baltimore, as comprised in his charter."²

This decision placed the coveted lower counties in the hands of Penn, but many causes conspired to delay the execution of this mandate. Prominent among these was the revolution then in progress in England. The Duke of York, to whom Penn owed his grant, was now on the throne as James II., and Baltimore dared not raise his voice against the decree, lest by the arbitrary fiat of the monarch he should lose all that was left. But the deposition of James II. meant the fall of Penn's ally, and the decision of 1685 remained inoperative; but as we shall see presently, it was afterwards taken as an important element in future negotiations.

¹ Pennsylvania Archives, vol. 1, p. 59.

² McMahon's "History of Maryland," pp. 30-33.

We may at least, however, look upon the decree of James II as being important in first approximating the boundaries of Delaware to their present limits.¹

The events which followed upon the revolution entirely changed the situation. It was now no longer a controversy between the two proprietors, each endeavoring to rob the other of his territory, as from another point of view, each seeking to secure undisputed sway over what he believed to be his own property, but both Penn and Baltimore were busily engaged in defending their lands against new rivals. Penn, in fact, was retired from his government by the crown, but was reinstated in 1694.² He was forced to act during this period of unsettlement with the greatest shrewdness and diplomacy; for the mere fact that he had been in favor with James II. would have been sufficient cause for his removal, on the slightest provocation, by the new monarch. Lord Baltimore had greater troubles to contend with. The Protestant association, which was formed in Maryland immediately after the revolution under John Coode, succeeded in throwing off the Catholic proprietary, and controlled the colony from 1689 to 1691. It was then taken up as a royal government and remained so until 1716. But an absolute quietus was nevertheless not put upon the controversy between the two disputants. That the dispute was a positive detriment to the value of land in the lower counties we have definite knowledge. At the close of 1704, Penn's secretary, James Logan, wrote to him that one of the most valuable tracts of land in New Castle County was the Welsh settlement, but he mournfully deploras that the "business between Maryland and us" renders it almost worthless. Of three thousand pounds due on the property referred to, Logan fears that not five hundred pounds will be realized until the boundary is settled. He says further in his letter to Penn, "if that whole business be not issued in thy lifetime, I doubt thy heirs will reap no great benefit from a large part of these counties: they grow more bold now than ever, and extend their claims upon old surveys up to and some beyond our old settlement. I must always press this, and in every letter, as of the greatest necessity." Referring to the same subject in September, 1705, Penn informs Logan that when last in Maryland he proposed to Colonel Darnet, Baltimore's chief agent, to fix the line, but he refused, as having no instructions from his lordship.

In 1707 the Marylanders reopened their encroachments upon the property of the people in the lower counties, which was brought to the attention of the Council through a petition from the justices of New Castle; some of the inhabitants had been served with writs of ejectment issued in

Maryland, although living within the twelve-mile circle around New Castle; a little later complaint was made by William Clark, of Sussex County, that his mother was being sued on account of the uncertainty of the boundary lines between that county and Maryland. With regard to the first of these questions, the Council forwarded a protest to the Governor of Maryland, while the second was settled by an order to the justices of Sussex County, instructing them not to entertain any action which might involve the boundary question. The Marylanders did not desist, however, for in August the sheriff of Cecil County forcibly dispossessed a number of the Welsh settlers in New Castle County by virtue of Maryland writs. The sheriff of New Castle would not quietly submit to this, and with the assistance of a few friends seized the sheriff of Cecil, with one of his aids, and bound him over to appear in court; but such instances were rare at this time and do not seem to have been at the instigation of the higher officials.

In 1708 Lord Baltimore made another effort to secure possession of the whole territory of the peninsula between the two bays, by petitioning Queen Anne. This attempt proved equally as abortive as those previously made, and only resulted in a confirmation of Penn's title according to the decree of 1685, with new instructions to draw the line as ordered in that decision. But again this was delayed, only to leave matters worse than ever before. The petty squabbles that were continually indulged in by the authorities and the inhabitants of the two provinces in consequence of the boundary disputes very soon became a source of so much annoyance to Penn that at length in 1712, he contracted for the sale of his interest in the colonies. At the last moment an attack of apoplexy prevented him from affixing his signature, and his mental troubles which followed never made it possible to transfer the land.³

The border disputes continued at frequent intervals, but not often with sufficient virulence to demand special action with reference to their suppression. Occasionally this was necessary, as in 1717, when Colonel French was appointed "ranger and keeper" of the marshes in the province and lower counties, with powers to repel invasions from the Marylanders. The direct cause of this appointment was the arrival of a number of Maryland surveyors, who had abruptly taken a survey of many lots in the lower counties, with the apparent purpose of claiming the ownership of the land. A year later the dispute was reopened by a more serious question. The complainants on this occasion were the Marylanders and not the Pennsylvanians. The town of Nottingham was the *corpus delicti*. Governor Hart, of Maryland, pro-

¹ Proud's "History of Pennsylvania," vol. I., p. 204.

² "Memoirs of the Historical Society of Pennsylvania," vol. ix., p. 366. Penn and Logan Correspondence.

³ McMahon's "History of Maryland," p. 35.

duced several complaints, showing that magistrates had been appointed by the Governor of Pennsylvania for Nottingham, while according to his opinion the town was unquestionably in Cecil County. Governor Keith admitted having appointed the magistrates, but was under the impression that the town was in Chester County. Colonel French, who had resided for a long time in that neighborhood, substantiated this view, but stated that since the boundary disputes had begun it had occasionally been a mooted question as to the county in which Nottingham was actually situated. Governor Keith firmly refused to revoke the commissions of the magistrates of Nottingham, although pressed to do so by Colonel Hart. It was at length agreed that they should remain, but both parties promised to make no further aggression until the whole matter was settled.

In the spring of 1722 the controversy was again revived, through a series of causes. Philip Syng was prosecuted for surveying and taking out his patents for a piece of land under the Governor of Maryland, after he had been informed that it was situated within the boundaries of Pennsylvania. A greater source of trouble was the rumor of an attempt, on the part of the Marylanders, to survey a strip of the disputed territory, then occupied by the Indians on the Susquehanna. The Indians themselves were much alarmed, and notified Governor Keith, who met them at Conestogoe. The Governor anticipated the Marylanders, however, by having the land surveyed himself, and called out the militia at New Castle to meet the invading hosts if they crossed the line. He wrote to the Council informing it of his plans and also his intention to run a line westward as far as the Potomac. They assented to all his propositions, except the last, which they feared would make the breach with Maryland very much wider, unless the line would be drawn with the consent of all concerned. Later in the year the matter became even more complicated by the arrest of Isaac Taylor and Elisha Gatchel, two Chester County magistrates, by the authorities of Cecil County, on account of the old Nottingham dispute. Governor Keith wrote to Colonel Calvert of the affair, requesting him to release the prisoners, but they were nevertheless bound over to keep the peace. On November 5th the Governor placed the whole matter before the Council asking "what measures may be most proper for him to take for preventing the fatal consequences of a general misunderstanding with such near neighbors." The response of the Council was moderate to a marked degree. They admitted that the boundary controversy involved questions of absolute doubt, and acknowledged the possibility of error on the part of Pennsylvania as well as Maryland. The Governor was advised to make every effort to secure some form of

accommodation, both by a personal interview with the Governor of Maryland and by application to the authorities in England.¹ No record is to be found of any meeting between the two Governors in accordance with this resolution. In fact, it was only a few days after the Pennsylvania Council had adopted this conciliatory tone that they turned savagely on the Cecil County Courts for their action in reprehending Taylor and Gatchel, declaring that "they ought not by any means submit to their (Maryland) courts or orders, or acknowledge their jurisdiction over them, and that this government ought to support them in the defence of their just rights."

It can easily be appreciated that it was only with extreme difficulty that the relations between the parties to this prolonged dispute were maintained in a peaceable way, when supported by such hollow and artificial manifestations of mutual regard. Every movement was eagerly watched on both sides, and suspicion was equally shared by both parties. These facts were brought out continually, and more forcibly in matters of little import than in affairs of graver bearing, in which the dealings were usually open and above board. The most singular feature of the entire controversy is the entire absence of any evidence to show that either the Pennsylvanians or Marylanders took any pains to hasten a settlement of the boundaries. This is the more easily explained in the case of Lord Baltimore, whose claims had twice been decided upon prejudicially to his interests; but what deterred Penn's heirs from hurrying a settlement is not so easy to conjecture. Both parties seemed to imagine the problem would be solved through forces within itself and preferred not to be annoyed with it. The one arrangement which was made, however, in 1723, is worthy of recording, showing that a settlement was expected, and a desire for such expressed, although the parties to the dispute still remained inactive. The terms of the agreement are as follows:

"Whereas, there are disputes depending between the respective proprietors of the provinces of Maryland and Pennsylvania, touching the limits or boundaries of the said provinces, where they are contiguous to each other. And whereas, both parties are sincerely inclined to enter into a treaty in order to take such methods as may be advisable for the final determining this said controversy, by agreeing upon such lines or other marks of distinction, to be settled as may remain for a perpetual boundary between the two provinces.

"It is, therefore, mutually agreed upon between the Right Honorable Charles Lord Baltimore, proprietor and Governor of Maryland, and Hannah Penn, widow and executrix of William Penn, Esq., late proprietor and governor of Pennsylvania and Joshua Gee, of London, merchant, and Henry Gouldney, of London, linen draper, in behalf of themselves and the rest of the mortgagees of the province of Pennsylvania, that for avoiding of all manner of contentions or differences between the inhabitants of the said provinces, no person or persons shall be disturbed or molested in their possessions on either side, nor any lands be surveyed, taken up, or granted in either of the said provinces near the boundaries which have been claimed or pretended to be on either side.

"This agreement to continue for the space of eighteen months from the date hereof, in which time 'tis hoped the boundaries will be determined and settled, and it is mutually agreed on by the said parties that proclamations be issued out in the said provinces signifying this agree-

¹ "Colonial Records of Pennsylvania, Vol. III., p. 214."

ment for the better quieting of the people. And the Lieutenant-governors and other proper officers of the respective provinces for the time being are directed and enjoined to conform themselves agreeable hereto, and to issue out proclamations accordingly upon the receipt hereof.

"In witness whereof, the parties above-named have hereunto set their hands this 17th day of February, 1723.

"Witness—S. CLARKSON,
Chas. LOWN,
JAMES LONAN,

BALTIMORE,
HARRISON PENN,
JOSUAH GEE,
HENRY GOULDNEY."

The hope that upon the termination of this agreement the boundaries would have been settled may indeed have been sincere; but that either Lord Baltimore or the Pennsylvanians made any effort to bring about its realization does not in the least appear evident. The document at any rate put an end to the border disputes, but it was far from having any effect towards securing an ar-



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rangement on a permanent basis. Another decade elapsed before any prospects of such a settlement made their appearance.

In the summer of 1731 the controversy was again renewed, through the violence of one Holey, of Cecil County, who, with a number of others, had destroyed the fencing around the property of a man named Wherry, residing within the limits of Pennsylvania. By a rather curious series of judicial processes, Holey was finally liberated, and Wherry was prosecuted on a charge of cutting Holey's timber. The defendant claimed that the timber was on his own property, which was situated in Pennsylvania but the Cecil County jury, before which he appeared, decided that the land was in Maryland, in spite of all the agreements between the two provinces to render no decisions as to boundaries until the whole dispute was fin-

ally settled. At the same time a similar complaint was entered by an inhabitant of Kent County, who had met with like treatment in Maryland. This arbitrary style of the Cecil courts greatly incensed Governor Gordon, and he at once opened a correspondence with Governor Calvert, of Maryland, protesting against a continuance of the existing methods. Governor Calvert responded that on his side he had received complaints that the people of the three lower counties on Delaware had been committing similar depredations, and that only his indisposition had deterred him from writing on the same subject. He then explained the Maryland position in the Wherry case, but the negotiations were left in a most unsatisfactory condition. In October of the same year (1731) another cause for friction arose out of the abusive actions of Captain Cresap toward the Indians on the eastern side of the Susquehanna. The complexity of the controversy which grew out of the Cresap affair, doubtless exercised a great influence in forcing the entire boundary question to a settlement, and we are therefore warranted in considering the case in some detail. Penn had guaranteed the Indians who settled on the Susquehanna within his territory against all incursions from the Marylanders on the opposite side of the river. Cresap being a native of Baltimore County, his interference with the Conostogoes was a matter which rightfully required Governor Gordon's interference. It was not long, however, before Cresap entered a counter-claim against Edward Beddock and Rice Morgan, two Pennsylvanians, who, while he (Cresap) was taking them across the river, threw him overboard and carried off his boat. Cresap took his case before Justice Cornish, a Pennsylvania magistrate, and although the offenders were duly convicted, the question of boundaries again came up, it being a disputed point whether the offense was committed in Maryland or Pennsylvania. Governor Ogle, of Maryland, also took umbrage at an alleged statement of Cornish, who, as Cresap insisted, said that Marylanders should not ask for justice in his court. Justice Cornish denied having said this, and his conviction of the prisoners would seem to have proven his impartiality. But notwithstanding this, Governor Ogle continued to write on the subject, and the dispute continued through the spring of 1732. At this point Cresap was entirely subordinated in the public mind to a report from London that an agreement had finally been reached between the contestants in the boundary dispute. The report was a little premature, but steps towards an actual settlement had really been taken. On May 10th, Lord Baltimore, of the one part, and John, Richard and Thomas Penn, of the other, agreed

"That in two calendar months from that date each party should

appoint commissioners, not more than seven, whereof three or more of each side may act, to mark out the boundaries aforesaid, to begin at furthest sometime in October, 1732, and to be completed on or before December 25th, 1733, and when so done, a plan thereof shall be signed, sealed and delivered by the commissioners and their principals, and shall be entered in all the public offices in the several provinces and counties; and to recommend to the respective legislatures, to pass an act for perambulating these boundaries at least once in three years. The party defaulting, to pay to the other party on demand six thousand pounds sterling."¹

The last clause of the agreement gave it a tone of genuine earnestness, and, in fact, two days after the signatures were appended the Penns named Governor Gordon, Isaac Norris, Samuel Preston, James Logan, Andrew Hamilton, James Steel and Robert Charles as the commissioners on their part to treat with those appointed by Lord Baltimore. On the same day his lordship executed a similar commission, nominating Samuel Ogle, Charles Calvert, Philemon Lloyd, Michael Howard, Richard Bennet, Benjamin Tasker and Matthew Tilghman Ward, to represent his interests in the approaching convention. It was several months before these commissions reached America, and during the intervening time the correspondence between the two Governors was continued, though it was not of importance. Immediately upon the receipt of the papers, about the middle of August, Governor Gordon wrote to Ogle, suggesting New Castle as a suitable place for the joint meetings of the commissioners on both sides. The Marylanders preferred Newtown, as being more convenient, and it was arranged to meet at that place on October 6th.

But even while the negotiations were being conducted, the border warfare broke out in a more brutal form than ever before. Both parties appear to have been at fault, and it is difficult to say which side is to be blamed for the initial movement. On the night of November 26th, John Lowe, of Baltimore County, was awakened by the marauders and made prisoner. He testified afterwards that one of the intruders was James Pattison, and the second a constable of Lancaster County. Pattison threatened him with a pistol, but he nevertheless resisted, whereupon six more fell on him. He was knocked down and dragged out of his house, and compelled to cross the Susquehanna on the ice, although he had lost his hat and one shoe in the struggle. The next morning he was taken before two justices of Lancaster County, Messrs. Samuel Blimston and John Wright. The only charge brought was that his son had threatened to kill some one, but as nothing was known to implicate the prisoner, the justices discharged him. The case well illustrates the extent to which these unwarranted aggressions were carried. Lowe had protested that there were magistrates in Maryland who would apprehend him if he transgressed the law; but this only elicited the reply from Pattison, who stood over him with a

pistol, that the boundary of the territory was to be determined by the power of the people. Cresap was also mixed up in this affair as a witness against the Pennsylvanians, and soon afterwards he is again heard of as going into Lancaster County with a Maryland warrant, and carrying off a laborer named William Humphrey. This was precisely the same offense which he himself had complained of against the Pennsylvania authorities. Cresap had also become notorious as having threatened to shoot any officer from Pennsylvania who would attempt to apprehend a prisoner on the disputed territory. This trouble again resolved itself into a "boundary dispute," Cresap and his associates holding that the land was Maryland soil, on the ground that it was within the fortieth degree of north latitude, while Joshua Low, the tax collector of Pennsylvania, testified that over four hundred inhabitants living south of that point had been paying tax to him without protest, and his position received the support of Governor Gordon and the other authorities of the province.

The border troubles next took a southerly course, and we find Kent County the centre of hostile operations. The cause of this dispute arose out of the purchase of a piece of land by John Newton. He bought the property of a person who told him that it was held under a Maryland grant, and was situated in Dorchester County. Newton accordingly paid taxes for the first year to the Dorchester authorities, when he learned that the land was never granted to any one by Maryland. As it was situated in the doubtful territory, he preferred to become a resident of the lower counties, and had it surveyed as a part of Kent County. For several years he paid his taxes into the Kent treasury, when the Dorchester magistrates levied on him, insisting that he was a resident of Maryland. He applied to the justices of Kent County, who appointed a constable to protect him, but notwithstanding this, the sheriff of Dorchester raided his place and carried him off. The protecting constable gathered a force and put out in hot pursuit, and after a hot skirmish recaptured the prisoner. This gave rise to a most extensive series of letters between the Governors of the two provinces, the justices of Kent and of Maryland, and between private individuals, connected, directly and indirectly, with the affair. Governor Ogle demanded the surrender of all who had attacked the sheriff of Dorchester County and released his prisoner, but this was refused by the Pennsylvanians. The relations between the Marylanders and their opponents seemed more strained at this time than for many years, and yet in the whole correspondence both parties always gave expression to the sincere hope that the pending negotiations would result in a speedy settlement of the dispute, while

¹ Proud's "History of Pennsylvania," vol. II., p. 209.

each stubbornly contested for minor advantages in this subordinate quarrel.

But not even the more important transactions of the boundary commissioners were conducted without friction. They had met, according to agreement, at Newtown, in Maryland, in October, and after doing very little, adjourned on November 3d, to meet at New Castle on the 1st of the ensuing February. On February 15th, Lord Baltimore addressed a letter to Governor Gordon, complaining of the treatment of the Maryland commissioners, whom he had taken special pains to send promptly, in order to facilitate in every possible way the conduct of the negotiations. The Marylanders had arrived at New Castle in ample time to meet their engagement, but although they had repeatedly sent to the commissioners appointed by the Penns, they had refused to come, and it was impossible to proceed with the business. Lord Baltimore also referred to certain improper behavior on the part of the Pennsylvanians towards his own commissioners while at New Castle, but did not mention details. He considered the action on this occasion as sufficient ground on which to claim the forfeit provided for in the original agreement, but agreed nevertheless, to hold another meeting on the first Monday in May, at Joppa, in Baltimore County. Governor Gordon in his reply evaded all reference to the ill treatment of the commissioners, as this was without foundation, but stated that the commissioners for his province declined to meet at Joppa, since it was situated at too great a distance from the points of most importance, which would have to be visited to determine the boundary lines. As New Castle was one of these places, and was of great prominence, owing to the fact that the centre of the twelve-mile circle was there situated, he thought that was the most suitable place, and named April 16th as the day for convening the members of the commission.¹

Thus the meetings were delayed and postponed until the time expired. These delays were plainly due to the machinations of Lord Baltimore, who though it was through his own suggestion that the proceedings of the commissioners had been instituted, found, as matters progressed, that his ignorance of the geography of the country placed him at considerable disadvantage, and therefore made use of all means to interfere with the progress of the commissioners. He had submitted a map of his own, placing Cape Henlopen about twenty miles below the mouth of Delaware Bay. A line was then to be run from this point due west, across the Peninsula. From the middle point of this line—that is, half-way between the two bays—a line was to be drawn northerly, so as to form a tangent to the circle, whose centre was at New Castle, and

with a radius of twelve miles. From the point of contact with the circle, however, it was to extend due north until it reached the same latitude as a point fifteen miles south of the most southerly part of Philadelphia. A line due west from this point, together with the arc of the New Castle circle, was to form the southern boundary of Pennsylvania. The lower line, extending west from Cape Henlopen, and the northerly line were to have served as southern and western boundaries of the lower counties.² This was Lord Baltimore's own proposition, and was the basis fixed in the articles of May 10, 1732, on which the commissioners were to act. This view of the situation of Cape Henlopen was what the Penns had always desired, and they were, consequently, only too eager to assent. No record remains of the proceedings of the commissioners on the occasions when they did come together; but it is quite evident that as soon as Lord Baltimore discovered his error he interposed every possible obstacle so as to prevent the completion of the work before December, 1733, at the expiration of which time the commissioners were to be discharged. He was eminently successful in this scheme, and after all the laborious negotiations, the dispute still remained unsettled. It would not be proper to say that it was no nearer settlement than before, as the terms of the agreement of 1732 actually formed the basis of operations when the final boundaries were drawn by Mason and Dixon, in 1763.

What action the Penns took to secure indemnity from Lord Baltimore we shall see later, but for the present we must follow up the border troubles, which were not in the least interfered with by the appointment of the commissioners. One of the sufferers was Samuel Moncey, of Murder Kill Hundred, in Kent County. At the request of three strangers, who afterwards proved to be Jacob Heynman, Peter Rich and William Underling, and who stated they had lost their way, Moncey offered to go with them about a mile, on being promised a pistol for his services. He had not gone far, however, before he was seized by the men, and taken to Cambridge jail; he was next removed to Annapolis, and was in irons for six weeks before he was finally released. Jared Rothwell was likewise arrested in New Castle County by Cecil County magistrates, and similar occurrences on both sides were continually reported as growing out of the doubtful titles to land occupied by the parties concerned. An attempt to check these broils was made in 1734. The initiative was this time taken by the Governor and Council of Pennsylvania, by the appointment of two commissioners to treat with the Lieutenant-Governor of Maryland, and "conclude on such

¹ "Colonial Records of Pennsylvania," vol. iii, p. 500.

² "Memoirs of the Historical Society of Pennsylvania," vol. i, p. 180.

measures as may best conduce to preserve peace between both governments, and to prevent irregularities for the future, until the boundaries shall be actually run and marked out." The commissioners were Andrew Hamilton and John Georges, and the papers were issued on May 14th. They at once set out for Maryland, and arrived at Annapolis on the 20th. The negotiations were at once begun, each side opening with the declaration that it was the most aggrieved. The oral proceedings resulted in nothing, and Messrs. Hamilton and Georges then presented a formal paper, setting forth their side of the question, and requesting some form of agreement. Governor Ogle, in reply, proposed to refer the whole matter to the King. It was evident that Ogle was endeavoring to evade the matter. The commissioners then drew up a second document, expressing their desire to come to an immediate agreement, and in response to this, Ogle flatly refused, asserting that the commissioners had acknowledged themselves to be without sufficient authority. He had only reached this conclusion from a most unwarranted misconstruction of a phrase in their letter to him, and it became clear that the mission would prove fruitless. The Pennsylvanians dauntlessly persisted in sending a third letter, but waited in vain for a reply. Thus terminated another effort at settlement.

Excitement soon became most intense, however, when it was learned that Lord Baltimore had made application to the King to confirm his charter or grant of the three lower counties. At the request of the mayor and citizens of Philadelphia, the Governor convened the Assembly of the province to consider this latest step of Lord Baltimore. Little was done, however, except to give expression to the alarm felt at this attempt to usurp the lower counties. In reply to Governor Gordon's address, the Assembly, referring to the efforts of Lord Baltimore to secure the territories upon Delaware, said they thought "it would be attended with consequences truly unhappy to the inhabitants of this province, not only disuniting those whom the same form of government, administered under the proprietaries and Governors, and a similitude of inclinations and interests have closely united, but in diminishing our trade, depriving many of us of our properties, and destroying those religious and civil liberties which were one of the chief inducements to the first planting of this colony." The Penns fought with all their might against granting the petition. They cited Lord Baltimore's voluntary surrender of this territory by the agreement of 1732, as his own acknowledgment that the title was vested in the Penns. The consequence was that, in order to test the validity of this agreement, the Penns were ordered to file a bill in chancery against Lord Baltimore, demanding the fulfillment of the provisions of the agreement. The bill was

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accordingly filed, in 1735, by John, Richard and Thomas Penn, but, with the proverbial delay of the Chancery Court, it was fifteen years before the decision was rendered.¹

The interval was characterized by border troubles of a violent nature. In April, 1735, a complaint was entered by Patrick Thomas, of Kent County, Maryland, that James Mullen, Edward Banbury and James Reilly, of Dover, with some others, had dragged him from his house to the Dover prison. The most serious of these frays was an attack on the house of Thomas Cresap. Cresap, as we have seen above, was a desperate character, who was continually mixed up in the disputes on the boundary, but had, nevertheless, attained some prominence in Maryland affairs. The attack was doubtless made by Pennsylvanians who had suffered



John Penn

at his hands. It was not long, however, before Cresap is found at the head of a band of fifty men, invading Lancaster County, and attempting to settle a dispute which would rather have been a matter for the consideration of the Governors. During this raid, among others, Knowles Daunt was killed, and Cresap was captured and charged with his murder. The controversy which arose out of this occurrence forms a monotonous record of letters and depositions. It was followed by outrages, however, which soon disgusted both sides, and made them equally anxious to end this constant state of open warfare. Both the Maryland and Pennsylvania Assemblies forwarded addresses to the King, requesting his interference to put a stop to the disorders. They were immediate in their effect, and brought from the King the following order in Council, dated August 18, 1737. It is commanded

¹ McMahon, "History of Maryland," p. 40.

"that the Governors of the respective provinces of Maryland and Pennsylvania, for the time being, do not, upon pain of incurring His Majesty's displeasure, permit or suffer any tumult or riots or other outrageous disorders to be committed on the borders of their respective provinces; but that they do immediately put a stop thereto, and use their utmost endeavors to preserve peace and good order amongst all His Majesty's subjects under their government inhabiting the said borders. His Majesty doth hereby enjoin the said Governors that they do not make grants of any part of the lands in contest between the proprietors respectively, nor any part of the three lower counties, commonly called New Castle, Kent and Sussex, nor permit any person to settle there, or even to attempt to make a settlement thereon, till His Majesty's pleasure shall be further signified."

It will be noticed that the three counties of the present State of Delaware were always the most prominent cause of the dispute. The King's order, however, had some effect in allaying the trouble, and at length, in May, 1738, the proprietors came in person before the Council at Kensington, and agreed to accommodate their differences. The new arrangement referred particularly to lands in the neighborhood of Philadelphia and the Susquehanna, the lower counties having been freed from the border wars since the promulgation of the King's order in Council. In fact, in the agreement drawn up between the proprietors, it was distinctly stated "that there being no riots that appear to have been committed within the three lower counties of New Castle, Kent and Sussex, it is therefore not thought necessary to continue the latter part of the said order in Council, as to the said three lower counties."¹ Two commissioners were appointed on each side to draw the lines as provided for—Richard Peters and Lawrence Growden for Pennsylvania, and Col. Levin Gale and Samuel Chamberlaine for Maryland. The temporary agreement for the preservation of peace while the work was in progress placed all land above the point fifteen miles south of Philadelphia, and not occupied by either, in possession of the Penns, and all south of it, in the hands of Lord Baltimore. This, of course, refers only to the disputed territory on either side of the Susquehanna. The survey was commenced in the spring of 1739, and progressed with some rapidity, although the Pennsylvanians claimed that their brother commissioners proved to them "that men of skill can find a thousand objections against the doing of a thing that they have no mind to." The Marylanders first opened a discussion as to the method of measurement, insisting on measuring horizontally and not superficially, wherever the hills presented a chance of loss to them by the latter process. Next, a controversy arose over the Gunther's chain used by the surveyor, and when these disputes had been settled, the death of Colonel Gale's son called him away, and Mr. Chamberlaine refused to proceed in his absence. Not desiring to have a good work thus obstructed, Governor Thomas issued instructions to the Pennsylvania commissioners to continue the work alone, and Messrs. Peters and Growden continued the line westward to a point eighty-eight miles west of the

Susquehanna, reaching the Kittochtinny Hills, this being the limit of the land as yet bought from the Indians.²

This was the famous "temporary line," and was a source of great good in effectually checking the riot and bloodshed which for a half-century had been, at frequent intervals, carried on along the borders of the two provinces. There was, practically, no further encroachment on either side, and nothing occurred in the controversy worthy of particular note, until the announcement of the decree in the chancery case, which was issued by Lord Chancellor Hardwicke, in May, 1750. It developed nothing novel in the case, but was a simple ratification of the agreement of May 10, 1732, in favor of the Penns. No more solemn rebuke could have been brought upon the head of Lord Baltimore than the declaration of the Lord Chancellor that "in America the defendant's commissioners behaved with great chicane." Cape Henlopen is decided to be situated as given by Lord Baltimore on his original map, and *not*, as he claimed later, identical with Cape Cornelius.³ The decree provided for the appointment of commissioners on both sides within three months, and operations were to be begun in November.⁴ The Chancellor reserved the right to decide any questions which might arise in the execution of the decree,⁵ a provision which was soon proved to be a grave necessity. The commissioners assembled at New Castle on November 15, 1750. The New Castle circle being the first matter discussed, the Court-House was fixed upon as the centre of the circle, but the Marylanders at once began their former tactics by insisting that the twelve-mile radius should be drawn superficially, in the face of the fact that in the measurement of 1739 they had objected to this method, when it opposed their own interests. The Pennsylvanians protested, and insisted on the horizontal measurement, but it was necessary to apply to the Chancellor before Lord Baltimore's commissioners would yield. Considerable delay was thus caused, but the work was quickly resumed and the position of Cape Henlopen determined at a point one hundred and thirty-nine perches from the cape on the northern portion of Fenwick's Island. A line was then run westward across the peninsula, but another dispute here arose as to its western termination, the Marylanders claiming they had reached the bay, when in truth they had only gone as far as Slaughter's Creek, which was more than three miles east of the Chesapeake.⁶ Another suit in chancery followed, and matters were further complicated by the death of Charles, Lord Baltimore, and the succession of

² *Penns. Magazine*, vol. ix., p. 261.

³ *Penns. Magazine*, vol. ix., p. 262.

⁴ "Memoirs of the Historical Society of Penns.," vol. I., p. 188

⁵ McMahon's "Hist. of Maryland," p. 42.

⁶ McMahon, p. 43.

¹ "Colonial Records of Penns.," vol. iv., p. 300.

hisson Frederick, the last Lord Baltimore. While the suit was pending the French and Indian War occupied the attention of the people to too great an extent to permit them to renew their border fights. Almost nothing is heard of the boundary question, and the only intercourse between the authorities of the provinces had reference to the war or the Indians.

The year 1760 stands out as an important epoch in our story. Frederick, Lord Baltimore, had long grown tired of the fight which, it appeared more than probable, would again be decided against him. He consequently entered into an agreement with the Penns on July 4, 1760, accepting as a basis the articles already drawn up in 1732, and afterwards set forth in the Chancellor's decree of 1750. The twelve-mile radius from New Castle was measured horizontally, and the line across the peninsula from Cape Henlopen to the Chesapeake was drawn to the full length of sixty-nine miles, two hundred and ninety-eight perches, as was originally claimed by the Pennsylvania commissioners in 1751. The articles of agreement are most minute in every detail, and occupy thirty-four printed pages in the Pennsylvania Archives.¹ The boundaries of the lower counties were thus practically settled in their present form.

To carry the agreement into effect, commissioners were appointed on both sides, those for Maryland being Governor Sharpe, Benjamin Tasker, Jr., Edward Lloyd, Robert Jenkins Henry, Daniel Dulany, Stephen Bordley and the Rev. Alexander Malcolm, and those for Pennsylvania being Hon. James Hamilton, William Allen, Richard Peters, Benjamin Chew, Lynford Lardner, Ryves Holt and George Stephenson. They met at New Castle on November 19, 1760, and at once began to draw the boundary lines. In August, 1763, Lord Baltimore and Messrs. Thomas and Richard Penn employed Charles Mason and Jeremiah Dixon, of England, to "mark, run out, settle, fix and determine all such parts of the circle, marks, lines and boundaries as were mentioned in the several articles or commissions, and were not yet completed." They undertook the work and carried it out successfully, finishing their task in December, 1767. It was thus that the boundary between Pennsylvania and Maryland came to receive the famous name of the Mason and Dixon's line. The final report was submitted by the commissioners on November 9, 1768, and gives an exact account of the work in the following terms:

"We have completely run out, settled, fixed and determined a straight line beginning at the exact middle of the due east and west line mentioned in the articles of the fourth day of July, one thousand seven hundred and sixty, to have been run by other commissioners, formerly appointed by the said Charles, Lord Baltimore, and the said Thomas Penn and Richard Penn, across the peninsula from Cape Henlopen to Chesapeake Bay, the exact middle of which said east and west line is at the distance of thirty-four miles and three hundred and nine perches from

the verge of the main ocean, the eastern end or beginning of the said due east and west line; and that we have extended the said straight line eighty-one miles seventy eight chains and thirty links up the peninsula, until it touched and made a tangent to the western part of the periphery of a circle drawn at the horizontal distance of twelve English statute miles from the centre of the town of New Castle, and have marked, described and perpetuated the said straight or tangent line, by setting up and erecting one remarkable stone at the place of beginning thereof, in the exact middle of the aforesaid due east and west line, according to the angle made by the said due west line and the said tangent line; which stone, on the inward sides of the same facing towards the east and towards the north, hath the arms of the said Thomas Penn and Richard Penn graved thereon, and on the outward sides of the same, facing towards the west and towards the south, hath the arms of the said Frederick, Lord Baltimore, graved thereon; and have also erected and set up in the said straight or tangent line, from the said place of beginning to the tangent point, remarkable stones at the end of every mile, each stone at the distance or end of every five miles being particularly distinguished by having the arms of the said Frederick, Lord Baltimore, graved on the side thereof turning towards the west, and the arms of the said Thomas Penn and Richard Penn graved on the side thereof turning towards the east, and all the other intermediate stones are marked with the letter P on the sides and with the letter M on the sides facing towards the west, and have fixed in the tangent point a stone with the arms of the said Frederick, Lord Baltimore, graved on the side facing towards the west, and the arms of the said Thomas Penn and Richard Penn graved on the side facing towards the east.

"2d. That from the end of the said straight line or tangent point, we have run out, settled, fixed and determined a due north line of the length of five miles one chain and fifty links to a parallel of latitude fifteen miles due south of the most southern part of the city of Philadelphia, which said due north line intersected the said circle drawn at the distance of twelve English statute miles from the centre of the town of New Castle, one mile thirty-six chains and five links from the said tangent point, and that in order to mark and perpetuate the said due north line, we have erected and set up one unmarked stone at the point where the said line intersects the said circle, three other stones at a mile distance from each other graved with the letter P on the sides facing the east, and the letter M on the sides facing the west, between the said place of intersection of the said circle and the said parallel of latitude, which last stone on the sides facing towards the north and east hath the arms of the said Thomas Penn and Richard Penn graved thereon, and on the sides facing towards the south and west hath the arms of the said Frederick, Lord Baltimore, graved thereon.

"3d. That we have run out, settled, fixed and determined such part of the said circle as lies westward of the said due north line and have marked and perpetuated the same by setting up and erecting four stones in the periphery thereof, one of which, at the meridian distance of one mile from the tangent point, is marked with the letter P on the east and the letter M on the west sides thereof."

The fourth section goes on to describe the running of the east and west line, which forms the boundary for the north of Maryland and south of Pennsylvania. This line was carried to a distance of over two hundred and eighty miles, when the Indians prevented them from proceeding, and it was afterwards carried to its present length. So far as the lower counties were concerned, this terminated the border troubles, but in the northeastern counties of Maryland, and the counties in Pennsylvania adjoining them, occasional riots were still heard of at long intervals. John Penn had occasion to complain, in 1769, of Cecil County ruffians who had committed outrages in Pennsylvania, and even as late as 1774 the entire trouble had not been smoothed over. The outrages of earlier times had ceased, however, and what misunderstandings now occurred were of a peaceable nature, and grew out of attempts to settle the details of the dispute beyond all cavil. The final proclamation of the Governor of Pennsylvania announcing the completion of the work was not issued until April 8, 1775. In order to render obedience to its behests as little difficult as possible, a special act was passed by the territorial Assembly of the three lower counties on Delaware, expressly stating the boundaries of

¹ Vol. IV., pp. 2-36.

Kent, Sussex and New Castle Counties, and declaring that all persons who had resided in the disputed territory, but now acknowledged citizens of the lower counties, should enjoy all rights and privileges therein, as though no controversy had ever existed. To this act, passed on September 2d, a supplement was added on October 28th. The supplement was intended for the benefit of creditors who held judgments taken out in Maryland courts against persons residing on the land in dispute. Great confusion had arisen when the settlement of the boundary question placed the debtors in the lower counties. For the relief and security of the creditors, the Assembly enacted a law making it a valid proceeding to docket transcripts of the judgments formerly obtained in the Maryland courts against persons resident on lands which had fallen within the lower counties on the determination of the boundary lines. With this act, the history of the dispute over the boundaries of Delaware came to an end.

CHAPTER XII.

COLONIAL HISTORY, 1704-75.

THE history of Delaware during the period covered by the present chapter, stands out as a bold anomaly in the colonial history of America. After a long series of wrangles and dissensions with the other counties of the province of Pennsylvania, in 1704 the "territories," or the "three lower counties," or the "counties of New Castle, Kent and Sussex upon Delaware," as they were then variously called, seceded from the counties of the province. They were to be governed by a separate Assembly consisting of representatives from the three counties, but still acknowledged the authority of the provincial Governor of Pennsylvania. This continued to be the form of government until the adoption of a separate Constitution by the State of Delaware, in 1776.

The lower counties had hardly been annexed to the province, in 1682, when the controversies and disagreements began which finally led to a separation. The Council dealt liberally with the new counties, agreeing to assume a large share of their expenses as an obligation on the whole province, and as early as 1684 they complied with the request of the territorial representatives by holding a part of their meetings at New Castle. One effective cause for these early differences is to be traced to the agents sent over by the Marylanders. It was a part of Lord Baltimore's plan for the success of his covetous designs on Penn's territory to stir up ill feeling in the lower counties. At a meeting of the Council, held at Philadelphia, on

February 1, 1684, one Charles Pickering reported that it was his belief that most of the people of Kent County were ready to revolt because Governor Penn had not kept his promise to enter and clear all vessels at New Castle, and in the event of such outbreak they were assured of the support of Lord Baltimore. At the same time Francis Whitwell, John Hilliard and John Richardson, the representatives from Kent, refused to attend the Council, and committees were sent to inquire into the cause of their absence, as well as that of the general disaffection. While no serious outbreak resulted from this, the government of the lower counties proved to be a source of much annoyance to the Council. Reports were continually brought to them complaining of the manner in which the officials performed their duties. The sheriffs could not be relied upon, and the decisions of the justices were frequently appealed from, as being unjust and partial. Matters began to take a more serious turn in 1690. Jealousies, based on local prejudices, had increased, and the lower counties asserted that they were not fairly treated in the appointment of officers. In the year mentioned Thomas Lloyd had been duly elected president of the Council. The territorial members, fearing that they would not receive their fair proportion of offices, convened a secret meeting without notifying the president or any member of the Council. The six members present were William Clark, Luke Watson, Griffith Jones, John Brinkloe, John Cann and Johannes D'Haes, who appointed and commissioned six judges without the knowledge and consent of the other members. When the regular Council learned of the affair, they promptly declared the appointments to be illegal, and severely reprimanded the unruly members for their clandestine action. A demand was then made that the judges and other officers of the lower counties should be appointed by the nine representatives from those counties, but this was not allowed.

In 1691 what was evidently intended by the proprietor as an indulgent privilege proved only a means of widening the breach between the two sections of the province. Penn had left to the choice of the Council three different forms for the executive management of the government. It was to be either through a Deputy-Governor, a commission of five or the Council itself. A majority of the Council favored the first of these methods. This brought forth a formal protest from seven members for the lower counties—William Clark, John Cann, John Brinkloe, John Hill, Richard Halliwell, Albertus Jacobs and George Martin. They declared that the appointment of five commissioners was the method most agreeable to them, and their second choice would be the commission of the Council itself, but that they could not accept the choice of a Deputy-Governor, since it placed all

appointments in the hands of a single person, and also on account of the expense required for his support. They agreed, however, to accept the government of the Council, on condition that no officers should be appointed to positions in the three lower counties without the consent of the members of Council for these counties. They then withdrew from the Council. President Lloyd, who had been chosen Deputy-Governor, dispatched John Simcock, John Bristow, John Delavall and David Lloyd to New Castle after the seceding members, with the promise that they need have no apprehension on the points raised by them, as he would occupy the chair without expense to them, unless they voluntarily agreed to contribute toward his support, and, moreover, he would make no changes in the offices of the lower counties until the proprietor's pleasure were known, and none should be removed without their consent. This did not satisfy the representatives from the three lower counties, and they finally seceded, William Markham, the secretary, who had joined them, being chosen Lieutenant-Governor for the counties of New Castle, Kent and Sussex. Penn was much grieved when he heard of the disunion of the province, and attributed the trouble to Lloyd's ambition. This charge seemed unjust, however, as Lloyd had only accepted his office after much reluctance, and at the earnest solicitation of most of the colonists.

The province continued under this double government for two years, when Governor Fletcher assumed control in 1693, and again succeeded in uniting them.¹ The union that was thus restored continued for a while without anything to disturb the peaceful conduct of government. In 1700 there occurred a slight dispute over the proportion of expenses to be born by the upper and lower counties, but this was soon adjusted. In the following year several contests were begun, which led to the final separation, three years later. Ever since the act of union, in 1682, the lower counties had always acted with great unanimity. In 1701, when the King forwarded a request to Penn, asking for three hundred and fifty pounds sterling for the maintenance of fortifications near New York, they entered their protest as a body, explaining that they were unable to provide defenses for that colony, as they themselves badly needed protection. On the 10th of October, of the same year, the members from the lower counties, considering that the measures then pending before the Assembly were highly prejudicial to their interests, abruptly left that body. On the 14th the members from New Castle and Kent Counties, with John Hill for Sussex, appeared before the Governor to set forth their grievances. At the meeting held on the 10th the objectionable measure was a bill to con-

firm certain acts passed at a meeting previously held at New Castle. The dissenting members urged that as the laws had been duly passed by the Assembly, they could see no reason why they should be re-enacted at Philadelphia. The act of union had provided that the lower counties were to have equal privileges with the upper in all things relating to the government, and to say that measures passed at New Castle required to be confirmed at Philadelphia would discourage any further visits to New Castle as a place for holding meetings of the Assembly. Moreover, they failed to understand that the laws would be binding if the lower counties acted at Philadelphia in conjunction with the upper, unless it could be shown that there is greater authority than when the two parties act in conjunction at Newcastle. This protest was signed by John Brinkloe, William Rodeney, John Walker, William Morton, Luke Watson, Jr., Jasper Yeates, Richard Halliwell, Adam Peterson and John Donaldson. The Governor explained that this was a mere matter of form, to avoid any misunderstandings during his absence, and added that he was deeply hurt at what he considered a personal slight. On behalf of the others, Jasper Yeates assured the Governor that no insult was intended, and that they cherished the greatest respect for him, but that they only acted in accordance with the best interests of those whom they represented. The Governor then suggested that they should adjourn for one hour, until he could send for the rest of the Assembly, and at the appointed time they again met. A full discussion of the matter took place, in which both sides spoke very plainly. The territorial members held that the union had been from the first burdensome and objectionable to them, and they were no longer willing to remain a party to it. Penn argued with them, and expressed his sorrow at being compelled to carry such ill reports to England on his approaching voyage, but finally agreed to let them withdraw from the union, stipulating in positive terms that the separation should be on amicable terms, and that they must first settle the laws. Some further difficulties occurred, and on the following day the proprietor addressed a note to them, reiterating his pleas and admonitions. Richard Halliwell, Jasper Yeates and William Rodeney returned to the Assembly, but soon appeared before the proprietor and assured him that they could no longer sit in that body, but must at once proceed to their homes. The other members continued in their obstinate refusal to recognize the privileges consistent with the honor and interest of the lower counties, that it was incumbent upon the members to leave. Penn, with a liberal use of his persuasive powers, at length brought them to terms, after several messages had been exchanged with the Council and Assembly, and they

¹ Proud's "History of Pennsylvania," vol. i., p. 351, et. seq.

agreed to return and make another effort to reach an understanding. On October 28th the new charter of privileges which Penn had for some time been preparing was submitted to the Council. This was the occasion for another outbreak. The charter provided, in the usual terms, for the enjoyment of liberty and happiness by the inhabitants of the province, and a single Assembly to consist of four members from each county; but, seeing that a separation had now come to be inevitable, Penn added the following proviso:

"Notwithstanding any clause or clauses in the above-mentioned charter, obliging the province and territories to join together in legislation, I am content, and do hereby declare, that if the representatives of the province and territories shall not, hereafter, agree to join together in legislation, and that the same shall be signified to me, or my deputy, in open assembly, or otherwise from under the hands and seals of the representatives, for the time being, of the province and territories, or the major part of either of them within three years from the date hereof, that, in such case, the inhabitants of each of the three counties of this province shall not have less than eight persons to represent them in the assembly for the province; and the inhabitants of the town of Philadelphia (when the said town is incorporated) two persons to represent them in assembly; and the inhabitants of each county in the territories shall have as many persons to represent them, in a distinct assembly, for the territories, as shall be by them requested, as aforesaid.

"Notwithstanding which separation of the province and territories, in respect of legislation, I do hereby promise, grant and declare, that the inhabitants of both province and territories shall separately enjoy all other liberties, privileges, and benefits granted jointly to them, in this charter, any law, usage or custom of this government heretofore made and practised, or any law made and passed by the general assembly to the contrary hereof notwithstanding."

The Governor then issued a number of commissions, appointing Andrew Hamilton Deputy-



JAMES LOGAN.

Governor, and James Logan secretary of the province, and clerk of the Council, and also nominated members of the Council, and incorporated the city of Philadelphia. He then sailed for England, leaving the province in a restless and dissatisfied condition. The incorporation of Philadelphia which gave the Provincial Assembly two additional members, was sufficient to show the territorial members that this was only the first

step towards the gradual increase of the provincial members, while their own number would remain stationary. With the offer of the long-desired separation placed before them in the charter of privileges, it was not likely that they should maintain the union any longer than was absolutely necessary. But as they were granted three years in which to decide, they tarried a little to hear the arguments and exhortations of the Governor and provincial members, who made every effort to retain them. Towards the close of the year 1702 the contest suddenly assumed a new shape. A number of the provincial members grew weary of the annoyance caused by the continual agitation of the territorial members, and they demanded a separate Assembly, according to the terms of the charter. The Governor remonstrated that such a step could only produce the most direful results, in encumbering the commercial relations then smoothly maintained with the mother country; but, most important of all, as the proprietor was then in England for the purpose of securing his title to the lower counties, which had been disputed by others, a separation at that moment might prove especially disastrous by weakening his claim. Moreover, the application had been made on the 8th of October, and as the charter required all elections to begin on October 1st, the Governor insisted that a new Assembly could not be elected until the 1st of October should again recur. They replied that this difficulty could easily be avoided by the issuing of the Governor's writs, but this official pointed out that the lower counties would now complain that they had been thrown out without notice, and the objecting members promised to postpone further action until a conference could be held with the Council. At the conference it was again argued that, as the lower counties had not yet elected members of the Assembly, thereby signifying that they would not accept the charter, it would be better to give them an opportunity to issue writs of election, which would require very little time, before they were abruptly cast off, so that their members might be heard. The dissenting members of the province agreed to reconsider their determination, provided the Governor would adjourn them for one month. This was accordingly done, and the Council reassembled on November 16th. In the mean time members of the Assembly had been elected for the lower counties, but those who had reached Philadelphia informed the Governor that they could under no circumstances sit with the members elected for the province. The provincial members had been elected under a charter which the territorial members refused to recognize, and for their own election writs had been issued. Considerable time was spent in arguing, but without result. When the representatives met in the afternoon at Samuel

Pere's, according to the Governor's instructions, it was found that the territorial members were not present. Griffith Jones and John Swift were sent to inform them that the Governor desired their attendance, but returned with the message that they "had waited on the Governor for some time, and had now withdrawn to refresh themselves, and would to-morrow wait on the Governor, if there were occasion." There was no alternative but to adjourn, although much against the will of some of those present. On the next day, November 17th, the representatives from both the provinces and territories met according to appointment. Owing to the different methods which had been employed in electing the members of the two sections of the province, it was agreed that they could not meet as an Assembly. It was suggested that they might meet as representatives of the people, or as a convention, but no conclusion could be reached on account of the firm position taken by the territorial members. They, however, sent to the Governor, stating that they were by no means lacking in loyalty to the Queen, and were not desirous of shirking their fair share of duty and responsibility, and if there was anything of great importance which he had to lay before the Assembly, requiring the joint action of the province and territories, it might still be possible to bring about some form of accommodation. The Governor answered that the two questions which he desired particularly to call to their attention were the orders lately received from the Queen, and the defenseless condition of the province, exposed, as it was, to the attacks of enemies on all sides. But these matters were not sufficiently grave to accomplish the desired end, and this was reported to the Governor on the 18th, by Joseph Growdon, on behalf of all the members. The provincial members asserted their willingness to meet the others, but the latter now held that as the writs by which they were elected were based on the charter, a recognition of the validity of this election would also imply their acceptance of the charter, which they were not prepared to do. The Council then passed a resolution to the effect that as the members for the lower counties had consented to be elected under a writ grounded on the charter, it was now too late to refuse to admit its force, and they might as well proceed to business with the other members. On the 19th the Council sent a message to the Assembly, containing three questions, as follows: 1st, are the representatives of the province willing to meet the representatives of the territories for the purpose of forming an Assembly? 2d, are the representatives of the territories willing to meet the representatives of the province for the purpose of forming an Assembly? 3d, if either refuse, what methods do they propose for the formation of an Assembly to prevent the

province from suffering, when such grave questions remain unconsidered? The provincial members immediately replied, expressing themselves as both willing and desirous of acting in Assembly according to the direction of the charter. The following reply was submitted by the members for the lower counties:

"The said members finding that they are called here on a different foot with those of the upper counties cannot, if there was no other obstacle, join with them in legislation, but are cheerful and willing when warrantably convened to proceed in assembly to answer her majesty's commands, and such other matters of importance as shall then be laid before them, though they will not presume to direct the government in what methods to convene them, they supposing it not their business, but that of those who rule over them.

"Robert French, Richard Halliwell, Jasper Yeates, Evan Jones, Thomas Sharp, John Foster, John Hill, Joseph Booth."

On the advice of the Council, the Governor dismissed the whole body until intelligence should come from England recommending further action. All the members of the province then united in a petition to the Governor, again requesting a separation, and the election of members for a separate Assembly, with two additional members for Philadelphia. Governor Hamilton died soon afterwards, after having devoted the whole of his brief administration to a futile attempt to unite the discordant elements of the province, much to the neglect of other important business. The management of affairs now devolved on the Council, of whom Edward Shippen was president. When the time for convening the Assembly, according to the charter, came around, in October, 1703, the members for the three counties of the province, with two members for Philadelphia, presented themselves for qualification by the Council to proceed to business in the new Assembly. Governor Hamilton had died without taking any action on their petition of the previous year, and the Council was at a loss to know what authority it had in the matter. After some delay, the Council qualified them, and on October 15th they organized themselves into an Assembly of the province.

John Evans arrived with his commission as Lieutenant-Governor at the close of the year 1703. His first care was to examine into the causes of the disruption between the province and territories, with a view to reuniting them if possible. The Governor increased the number of members of the Council, adding several members from the lower counties, prominent among them being William Rodeney and Jasper Yeates. He also secured the passage of a resolution by Council, deprecating the measures already taken toward a dissolution of the union, and advising the most earnest endeavors to keep them united, both in legislation and administration. Governor Evans then went to New Castle and held a conference with the most prominent citizens, and it was arranged that the lower counties should elect members for an Assembly, to meet the Governor at

Philadelphia in April, 1704. The elections were held in March, and were very exciting, especially the one at New Castle, the candidates being James Coutts and Richard Halliwell. On April 11th, in accordance with the Governor's orders, the members of the province and those from New Castle and Kent Counties appeared before the Council, those from Sussex not having arrived. The provincial members refused to confer with the Governor in the presence of strangers, and the members from New Castle and Kent then withdrew. The Speaker of the Provincial Assembly then gave the Governor the most sincere assurance on behalf of the whole body of their desire to obey any commands he might have to lay before them, either from the crown or the proprietor. When the Governor suggested that they act in conjunction with the members for the lower counties, they insisted that this would infringe on their rights as an Assembly, and declined to yield, but finally withdrew to their chamber to consider the state of affairs. On April 12th the two bodies were brought together before the Governor, who delivered a written address, setting forth the benefits of harmony and unity, and strongly beseeching them to reconsider the steps taken in the past, and once more to unite. Direct negotiations were then begun between the Assembly of the province and the members for the three lower counties. Two days were thus occupied, and on the 14th the Governor received the following address, signed by the members who had been elected from New Castle, Kent and Sussex :

"To the Honorable John Evans, Governor of Pennsylvania and the three lower counties :

"The humble address of the freemen of the said counties :

"May it please your Honor :

"In obedience to your writs for electing representatives to serve in assembly for our counties, we have, according to our duties and the trust reposed in us by the freemen of the same, made our appearance before your honor, on the 10th instant, to have acted legislatively in assembly. But when we did observe by your Honor's speech to the representatives for the province and territories that you judged it fit that all endeavors should be used, in the first place, for uniting of your government in one assembly, being very sensible of the respect we owe your Honor, and being very well satisfied that you did at that time propose matters of the greatest import towards the interest, quiet, and prosperity of the government, have accordingly used our utmost endeavors for an accommodation with the representatives for the province, as your Honor may see by our proposals to them, herewith annexed, and since we are assured that our endeavors cannot prove successful on that account, as by their answer delivered unto us (a copy of which we have likewise affixed) does plainly appear :

"We therefore do humbly lay before your Honor's consideration the necessity there will be for to fall upon methods for a speedy and effectual settling our counties in a regular method of government, that justice may be duly administered, the people preserved in their rights and liberties, and your Honor's expectation from us answered; the which we think we have no reason to doubt, considering we are sensible that all your Honor's actions, since we had the happiness to be under your government, have so plainly demonstrated that your chief care is to promote the welfare and prosperity of the same. We conclude your Honor's most humble servants.

<i>"John Hill,</i>	<i>William Morton,</i>
<i>Wm. Bagwell,</i>	<i>Arth. Meaton,</i>
<i>Robert Burton,</i>	<i>James Coutts,</i>
<i>Richard Painter,</i>	<i>John Healy,</i>
<i>William Rodeney,</i>	<i>Rudolf D'Haes,</i>
<i>John Brinkloe,</i>	<i>Isaac Gooding."</i>

The proposal referred to in this address was a

simple agreement on the part of the members from the territories to unite with the province, on condition that the number of representatives for each should be equal, as had always been the case. They further stated that they had assembled at Philadelphia in pursuance with the Governor's instructions, fully expecting to be joined by the provincial members, and they hoped nothing would prevent such meeting. The provincial members, in their reply to this, declared that the assertion that the territorial members had come to join them in Assembly was mere pretense, as it was they who had accomplished the disunion, and refused to recognize the charter, and consequently the province was firm in its purpose to retain its new Assembly distinct from that of the lower counties, but at the same time they hoped that friendly and neighborly relations would always be kept up between them for the safety and welfare of the government.

It will thus be seen that the positions formerly taken by the respective parties to the controversy had now been exactly reversed. It was the province which now wished to withdraw, and the territories that desired to continue the union. Yet it does not seem that they cherished any very fond desire for a reunion; but seeing that such a thing was now beyond hope, and that the province had assumed the lead in the cry for separation, they were anxious that their northern brethren should be in a position to bear all the odium that might result from any future ill effects of the disunion. When the Governor had received the ultimatum of the lower counties, he still thought that an agreement might be possible, and requested all the parties concerned to meet him on the following day for a free conference. Governor Evans once more earnestly and eloquently repeated the arguments which he had so frequently submitted before. But all to no effect. The Governor agreed to the separation, and from that time it was complete. The next step was to organize the Assembly for the lower counties. The opinion of Judge Mompesson being asked, he decided that it would be better to issue new writs for elections, and avoid any possible broils, and also ruled that all laws which had previously been enacted by the joint Assembly of province and territories were now in full force in each separately.

The first Assembly of the three lower counties met in November, 1704. Most of the members who had been elected on the original writs were re-elected, and James Coutts was chosen Speaker. The most important laws enacted by the new Legislature included a measure providing that seven years' possession of land should give unquestionable title thereto, except in the case of infants, married women, lunatics and persons beyond the seas, and also those who possess estates

for a term of years, for life or entail. A law was also passed for the prevention of abuses in the administration of justice, and fixing an oath for attorneys and solicitors, and also a law for regulating weights and measures according to the Queen's standard for the exchequer. As soon as the Assembly had convened at New Castle, a few intriguers instituted a plan for an absolute separation from the province. James Logan, who accompanied the Governor to New Castle, as secretary of the Council, wrote to Penn that "Judge Guest, with the designing men of this place (New Castle), seem to endeavor an utter separation, and that this alone may be made the mart for all the people below."¹ Guest was an ambitious scamp who sought personal ends from the accomplishment of this scheme, which met with deservedly little support at that time.

The Assembly before adjourning confirmed all previous laws, and also increased the number of members of the Assembly from four to six for each county.

Governor Evans was much irritated at his failure to unite the province and territories, and gave vent to his petty spite against the former, who had been the last to object, by continually interposing obstacles to prevent any facility of action by their Assembly. During the summer of 1704 he had issued a call for militia on account of the war then raging between England and France and Spain. Three companies were raised in New Castle County, two in Kent and the same number in Sussex, but in the province considerable difficulty arose over this order, owing to the number of Quakers who held conscientious scruples against bearing arms. Governor Evans became highly indignant at this, and when over a year had elapsed, and the people still held out against taking up arms (as they held) unnecessarily, Evans resorted to a curious plan for terrifying them into obedience. He selected Thomas Clark, an attorney of Philadelphia, and Robert French, of New Castle, as his associates. The annual fair was in progress at Philadelphia, on May 16, 1706. The fair was a great institution of the colonial period. Everybody, young and old, assembled in holiday attire, and it was a gala time for gayety and rejoicing. French, who was stationed at New Castle, sent up a messenger to the Governor, apparently in a great state of fear and consternation, informing him that a number of hostile vessels had come up the bay, and the people were in imminent danger of being attacked, and their property pillaged. Messengers had been previously stationed about the city, and at once hastened to spread the news, to the great terror of the people. The Governor rode through the streets with drawn sword, apparently much agitated,

beseeching the citizens to offer all possible assistance in the emergency. But through some unknown agency the secret became known and the plot failed, the only effect being to frighten a few people farther up the river, with whatever valuables they could carry with them, while the Governor's action met with universal condemnation, and placed him in general disfavor with the people.

In November of the same year, at the secret suggestion of the Governor, the Assembly of the lower counties authorized the erection of a fort at New Castle for Her Majesty's service. A duty was imposed on all vessels passing the fort in going up the river from the sea, consisting of a quarter of a pound of powder per ton for all vessels owned by persons residing on Delaware River or Bay, and a half a pound for those owned by all others, excepting only ships of war. In addition to this, all vessels passing in either direction were required to drop anchor, and the commander must go on shore, report and secure leave to pass. The penalty for the neglect of this regulation was fixed at a fine of five pounds, a forfeiture of five pounds for contempt, and twenty shillings for the first gun, thirty for the second, and forty for every one thereafter that it might be necessary to fire at them on account of such neglect. This measure naturally met with much opposition from the province, the citizens of which denounced it as a bold infraction of their privileges, intended only to destroy their trade. The people of Philadelphia were particularly loud in their complaints, declaring that the tax might as well be imposed on the goods in their shops as upon the vessels bringing them to the city, and they held that their charter granted them a free and uninterrupted use of the river and bay without any interference whatever. The law was nevertheless passed, except that the provision requiring vessels owned on the river and bay to pay duty was omitted.

The Philadelphians openly declared that they would not pay any duty whatever. The fort was erected in the winter of 1707 by Captain Rednap, the Queen's engineer, who was brought from New York by the Governor for the purpose. When everything was in readiness, and several fines had been collected by the authorities at the fort, Richard Hill, of Philadelphia, determined to test the strength of the place by boldly defying the orders. His new sloop, the "Philadelphia," was just preparing for her first voyage to the Barbadoes. The master of the vessel was ordered by the owners not to stop at the fort. He went to the Governor, requesting permission to pass, but this was refused. Hill then informed the Governor that his vessel would pass, notwithstanding his refusal. The Governor at once set out for New Castle on horseback to notify them of the expected arrival of the vessel, and a watch of ten men was stationed on the shore, lest she

¹ "Memoirs of the Historical Society of Pennsylvania," vol. ix., Penn and Logan Correspondence, p. 344.

might pass unnoticed under cover of darkness. Hill, being afraid to trust the master, boarded the sloop and took with him Samuel Preston and Isaac Norris, who were also part owners. The vessel was duly cleared at Philadelphia, and when they reached New Castle, Preston and Norris were sent to the fort to request permission to pass without further interruption. This was denied unless they would comply with the regular requirements of the station. Hill then took command of the vessel, and passed the fort under the fire of its guns, receiving no damage except a shot through the mainsail. When they had passed, John French, the commander of the fort, put out after them in a boat, and when he came up Hill willingly threw him a rope. French climbed up, the rope was cut, and he was taken prisoner by the owners of the sloop. Lord Cornbury, the vice-admiral of the Queen's fleet, happened to be lying at Salem, and French was delivered over to him, and after a severe reprimand was liberated. On May 19th about two hundred and twenty inhabitants of the province, mostly residents of Philadelphia, presented a petition to the Governor protesting against a continuance of the fort as an infringement upon their liberty which was not granted, but in fact denied, by the charter of the Duke of York. A long discussion ensued in the Council, most of the members objecting, not to the fort, but to the exactions, and the Governor was finally forced to promise a suspension of the objectionable features of the act. His position in favoring it, however, had already produced a stronger feeling than before against him, and several petitions were sent to Penn requesting his removal, which were at length complied with about the middle of 1708, when news was brought announcing that he had been superseded by Charles Gookin.

Evans had just purchased a farm at Swanhook, near New Castle, and had made extensive improvements, and was, therefore, not a little indignant at his peremptory removal. Some of those in the lower counties who had formerly acted with Judge Guest, hearing that Evans had been removed, and knowing his partiality for the territories, supposed that he would gladly assume the head of their government if they could be entirely separated from the province. They prepared another scheme for carrying out this idea, but found to their dismay that Governor Evans fostered no such ambition. On the contrary, in a communication to the Assembly at New Castle, delivered shortly after this, the most patriotic sentiments are found, together with wholesome advice for defense and other measures equally necessary. Much to his surprise, he received in reply to this an address from the Assembly questioning his authority to act at all, on account of the doubts which existed in the minds of members of the Assembly as to the

legality of Penn's title to the lower counties. This was an old question which was periodically raised in the territories, and then quietly allowed to drop. Governor Evans responded that he had not the least doubt as to the validity of his commission, but as his office was so soon to devolve on another, he would not take the time to vindicate it. At this point a number of members took the part of the Governor and withdrew from the Assembly, breaking up the House. They were Richard Empson, of New Castle, Joseph Booth, of Kent, and Thomas Fisher, Cornelius Wiltbank, Philip Russell, William Fisher, Nicholas Grainger and Ad. Johnson, of Sussex. They insisted that the action of the other members in raising a question as to the Governor's authority was uncalled for and unreasonable, and that his answer was exceedingly appropriate. They feared that the members intended harm rather than benefit to their form of government, or at least anticipated some change, and to avoid any connection with such a movement they thought best to withdraw. As Governor Gookin soon arrived, the members quietly returned. In addition to the troubles already mentioned, much annoyance was caused by the depredations of the pirates, negotiations with Indians and disputes over the boundaries with Maryland, but these topics have been treated at length elsewhere. Penn had not despaired of a reunion, and in his instructions to the new Governor he recommended an attempt to secure this end. To those in the colony, however, it was evident that this was no longer possible. The breach between them had become too wide. But after a few years the two Assemblies learned to cease their policy of intermeddling, and the government was conducted very peaceably. As early as 1709 we find the Assembly of the province passing a resolution of sympathy with the inhabitants of Lewistown, owing to the suffering recently borne by them from an attack by the enemy.

When the lower counties put an end to their quarrels with the province, however, they began new ones with the proprietor. The particulars of the new intrigues show that among the early colonists of Delaware there were those who were by no means destitute of political astuteness. Some of the most prominent men in the territories drew up an address early in 1709 to the Lords of Trade and Plantations, who managed all the British colonies, complaining of Penn's management of the three counties upon the Delaware. They avowed that because of the proprietor and the Quakers they had not sufficient power for enacting the laws necessary for the public good; that they were left in a defenseless condition, and had not had provincial courts among them for seven years. This address was signed by nine members of the Assembly, including James Coutts, Jasper Yeates, Richard Halliwell and Robert French. Coutts had

hitherto always been considered a staunch friend of the proprietor, and his sudden change of policy occasioned much surprise. Yeates, however, was the instigator of the new enterprise. He had moved from Chester to New Castle, and had there started a business venture on an extended scale. The town was not considered healthy at this time and did not prosper, and the people in the country much preferred to go to Philadelphia to transact their business than to stop at New Castle. Yeates saw that some barrier must be placed between the seat of his new venture and Philadelphia, to materially check communication between the two places. This was either to be done by making New Castle the capital of a new province consisting of the three lower counties, or allegiance with Pennsylvania must be severed, and an alliance made with some other colony, the situation of whose capital would not interfere with the commercial progress of New Castle. Yeates was shrewd and influential, and secured the assistance of many others. Although the relation between himself and Coutts had for some time past been somewhat strained, he soon found an opportunity to bring about a reconciliation, since Coutts was at this time by far the most influential man in the lower counties. Their object was simply to secure a separation from Pennsylvania. Coutts signed the petition as Speaker of the Assembly, although it had never been brought before that body and was strictly a private affair, and took it to London himself. Penn was kept informed of every movement through Secretary Logan and was well prepared for his arrival, although he had at length lost patience with the territories. But this scheme, like its predecessors, came to naught. Toward the end Coutts attempted to secure the government for himself through bribery, and his co-operators, afraid of his power, again offered Governor Evans the leadership, but he persisted in his refusal. In consequence of this, a dispute arose, which completely disorganized the schemers, and there the matter ended. It is difficult to see that any particular advantage would have been derived, unless to the chosen few. The three counties were not yet sufficiently prosperous to succeed as an independent colony. It was estimated at the time that each county contained from one hundred to a hundred and twenty families, hardly enough to support a well regulated government when surrounded on all sides by others more powerful in respect to numbers and experience. After the excitement incident to this last trouble had subsided, the people quietly settled down, and for the next few years nothing occurred to mar the citizens in their peaceful pursuit of happiness and contentment. The period, however, is at least noteworthy as being marked by a rapid development of the church. As early as 1703 a colony of Welsh Baptists had

settled on what was then called "The Welsh Tract," but now known as Glasgow, lying between Delaware City and Newark, and about ten miles from Wilmington. They secured about thirty thousand acres from Messrs. Evans, Davis and Willis, who had purchased it from Penn, and at once proceeded to erect a meeting-house. This was finished in 1706, the first pastor being the Rev. David Evans, a native of Wales. Under his care the church slowly increased, and each year the membership increased, either through additional arrivals from Wales or by the baptism of settlers. At New Castle the same progress was noted. The Rev. George Ross was appointed missionary at that place in 1705. He started a congregation there and met with great success, as among the regular attendants at service were numbered many from the surrounding country, some coming as far as ten or twelve miles. Encouraged by this, he extended the field of his labors to Apoquinimy and White Clay Creek, preaching twice during each month at New Castle, and once at each of the other two places named. Richard Halliwell, who had contributed largely toward building the Emanuel Church on the Green at New Castle, bequeathed sixty pounds for its support, and also gave his plantation of sixty-seven acres, with finely-improved houses and orchards, as a parsonage for the ministers who should from time to time serve the church.

The missionaries who were here settled were sent from England by the Society for the Propagation of the Gospel in Foreign Parts. Their work in Kent and Sussex Counties was not so easy, owing to the fact that the country was far more sparsely settled and the people scattered farther apart than in New Castle. But this had not deterred them from sending out their agents. In 1704 the Rev. Mr. Crawford was stationed as missionary at Dover. In about two years he baptized two hundred and thirty people in his immediate district, besides many others in the vicinity. At the end of the third year they had erected a modest structure in which to hold their meetings. He labored assiduously, being obliged to give many sufficient instruction to enable them to read the common prayers. His plan was to preach one Sunday at the upper end of the county, on the next at Dover, and on the third at the lower end, thus coming in contact with as many of the inhabitants as possible. He was also invited to preach in Sussex County, and in response to this, preached at Captain Hill's house, at Lewistown. The people were much pleased and wrote to the Bishop of London, asking that a Minister be sent to them, and promising all the support they could afford. The construction of a meeting house was also commenced there. Mr. Crawford was soon after compelled to return to England and did not return,

and for some time neither of the two counties had a regular minister.

In August, 1717, Governor Keith, who had a few months previously succeeded Governor Gookin, desirous of visiting the lower counties, invited Mr. Ross, who was still in charge of the spiritual affairs of New Castle, to accompany him. In company with several others, they first went to Lewistown, and on August 7th Mr. Ross preached there in the Court-House. He remained there several days, baptizing over fifty children, and then went to the various meeting-houses which had already been erected in the county. He then went through Kent County with the Governor and met with similar greeting. He was so much gratified at the result of his visit, that in April, 1718, he again went through Sussex County, opening a new church that had been built and baptizing many new members. Consequently, the two lower counties were not absolutely without a minister. Mr. Ross addressed a letter to the society in England, urging that a missionary be sent out, and this was indorsed by Governor Keith. The people of Lewistown had, in Oct., 1720, finished a frame church in the centre of the town and were much rejoiced when, in the following year, the Rev. Mr. Beckett arrived from London to take charge of it. The same success followed which his expectations anticipated, and the work being now on a firm basis, the progress of the Church of England (all the missionary work being independent of the large number of Quakers in the colony) was now well established.¹ In the meanwhile the civil affairs of the lower counties had not been neglected. When Governor Keith arrived, in 1717, he immediately examined into the affairs of the territories, and upon the close of his investigation added another member to the Council from the lower counties, in the person of John French.

In 1719 the Assembly passed an act for the better administration of justice, some of the provisions of which are hardly equaled by the famous blue laws of Connecticut, of the seventeenth century. In one respect, however, the act exhibited a tendency toward toleration, viz.: by allowing Quakers to affirm, as well as all others who might be conscientiously opposed to taking an oath. In this they anticipated similar action by the Assembly of the province by six years, for it was not until 1725 that the Pennsylvania Assembly relieved the Quakers from taking oath. By the terms of the new law, all persons committing robbery, sodomy, buggery or rape were made felons, and punished according to the law of England (punished by death). Any woman who concealed the death of her bastard child, or any person advising or assisting the woman in killing the child, was guilty of a capital offense and

suffered death, as in the case of murder. Any person who cut out or disabled the tongue, put out the eye, slit the nose or lip, or maimed the limb of another, suffered the death penalty, without benefit of clergy. Women convicted of felony might escape the death punishment, and instead were branded on the hand and imprisoned. The subornation of witnesses was punished by a fine of forty pounds, one-half to go to the government and the other to the aggrieved party. In case the offender could not procure the necessary amount in money, land or chattels, he suffered imprisonment for six months, and was placed on the pillory for one hour in some public place where the offence was committed, and also suffered any other punishments or disabilities inflicted by the law of England covering the same crime. Any person convicted of a felony made a capital crime by the act, but who was entitled by the law of England to the benefit of clergy, if convicted of murder, was taken in open court by the gaoler and branded with an "M" on the brawn of the left thumb, and with a "T" for any other felony. These were the most noteworthy features of the law, which, at least, leaves us to infer that the people were earnestly bent on the suppression of vice.

During the same year the Assembly devoted their attention to more material affairs, especially endeavoring to encourage the construction of mills. It was enacted that in case any one projected building a mill, but was unable to conveniently convey water to his property on account of the intervention of land belonging to another party, which the latter was unwilling to dispose of, he might apply to two justices of the peace for relief. The justices of the peace were to instruct the sheriff to summon six freeholders, who should fix upon the value of the land, and also the loss likely to be suffered by the owner, but they had no jurisdiction in cases where the disputed ground amounted to more than six acres in New Castle County, and to two acres in Kent or Sussex.

In 1719 permission was granted to Benjamin Shurmer, William Brinkloe and Richard Richardson to survey the town of Dover and lay it off in lots.

In 1721 Jasper Yeates died, and the vacancy in the Governor's Council was filled by the appointment of Henry Brooke, who had formerly been collector of customs at Lewistown.

During the next five years there was much activity in the lower counties, and many progressive measures were instituted. In 1722 an Orphans' Court was established, to meet what had for some time been felt an absolute requirement. This new court of record was presided over by the justices of the peace, who met in regular Quarter Sessions in each of the three counties and during the same week that other courts were held, and at such other

¹ "Delaware Register," vol. I., p. 416.

times as were necessary. They controlled such matters as are usually confided to similar tribunals, but were not allowed to admit any letters of administration in which no bond was required, and no administrators or guardians were allowed to place the money of their wards on interest without renewing for a longer time than one year. Shortly after this the legal rate of interest was reduced from eight to six per cent., and the penalty for a violation of the act was forfeiture of the whole sum loaned. About the same time the authorities of New Castle County removed the obstructions in the Brandywine that interfered with the fisheries, and a new outlet was cut for Murtherkill Creek into the bay, in Kent County.

Governor Keith was succeeded by Patrick Gordon on June 22, 1726. He went down to New Castle on the 28th, where a meeting of the Council was held, and summoned the Assembly to meet him on July 20th. At a meeting of the Council on July 25th he issued commissions to David French as attorney-general for the three lower counties; to John French and Samuel Lowman in New Castle County, Robert Gordon and Benjamin Shurmer in Kent, and Henry Brooke and Jonathan Bailly in Sussex, as judges of the Supreme Court, and also commissioners of Oyer and Terminer and General Gaol Delivery in their respective counties. The justices appointed for New Castle County were John French, Robert Gordon, Joseph England, Charles Springer, John Richardson, James James, William Battell, David Evans, Andrew Peterson, Ebenezer Empson, Hans Hanson, James Dyre, Samuel Kirk, Richard Grafton and Simon Hadley. Those for Kent were Robert Gordon, Benjamin Shurmer, Richard Richardson, Charles Hillard, Thomas French, Mark Manlove, Timothy Hanson, John Hall, James Worrell, Joseph Booth, Jr., John Brinkloe, Thomas Berry, George Nowell, John Houseman, John Tilton, William Manlove and Hugh Durborrow. Those for Sussex were Henry Brooke, William Till, Philip Russell, Samuel Rowland, Woolsey Burton, Simon Kollock, John May, Jeremiah Claypoole, Jacob Kollock, Thomas Davis, John Jacobs, Samuel Davis and Joseph Cord. The last-named list of justices, however, soon underwent a change, for when the Council met at Philadelphia, on September 23d, the Governor announced that Alexander Molliston had entered a complaint against Justice William Till, who, he declared, had used his influence on the bench so as to utterly prevent the complainant from obtaining employment and supporting his family. It was then learned from members of the Council that Till had on a previous occasion opened and kept a letter sent from Philadelphia to Robert Frankland, surveyor of Sussex County, and that at a recent meeting of the Assembly of

the lower counties he had used language highly disrespectful to the proprietary family. Till was, therefore, removed and Richard Hinman added, in his place, to the list of justices. At the same time John Rhodes, Robert Shankland, George Walton and Enoch Cummings were appointed, *vice* Simon Kollock, John May and Thomas Davis. As the result of the October elections held shortly afterwards, for sheriffs and coroners in the various counties, commissions were issued to John Gooding, sheriff, and Morgan Morgan, coroner, of New Castle County; William Rodeney, sheriff, and Edward Jennings, coroner, of Kent County; Rives Holt, sheriff, and Samuel Davis, coroner, of Sussex County.

During the latter part of 1726, and early in 1727, the Assembly of the lower counties passed many important measures. All vessels having on board sickly persons, or coming from places where there existed a contagious disease, were not allowed to come within one mile of the shore until they secured a permit from the Governor or two justices of the peace. Laws were also passed obliging all witnesses legally summoned to testify against the destruction of landmarks; against the construction of dams across rivers and creeks, except for mills; against defacing or counterfeiting seals and charters, inciting riots and holding unlawful assemblies. A measure of more importance, however, was the special form of trial furnished for negroes. The Governor was to commission two justices of the peace in each county, who, with six of the most able freeholders in the neighborhood, should form a board for the trial of all negro or mulatto slaves. In case the negro was convicted of a capital offense and suffered the death penalty, he was at once appraised by the same judicial board, and two-thirds of his value paid to the owner out of the county treasury. The punishment of the negroes for meeting in bodies numbering more than six, or for carrying arms, was twenty-one lashes on the bare back. If convicted of stealing, the slave was lashed at the discretion of the board, while his master was compelled to make reparation for the stolen property. The punishment for an attempt at rape upon a white woman was rather revolting, the negro being forced to stand in the pillory at the court-house for four hours, on some court day, with his ears nailed to the frame, and before he was let down they were cut off close to his head.

For the better security of debts, the Assembly authorized the sale of land when the personal estate was insufficient to meet the liability, unless the rent of the land would prove to be great enough to meet the claim in seven years, in which case the creditor was obliged to wait that time. But by far the most important measure of this period of legislative activity was the establish-

ment of a regular system of law and equity courts. There was first the court styled the General Quarter Sessions of the Peace and Gaol Delivery in each county, and was held four times in each year. It was held at Lewistown on the first Tuesday in February, May, August and November, at Dover on the second Tuesday in the same months, and at New Castle on the third Tuesday. This court was presided over by the justices, or at least three of them, regularly commissioned by the Governor, who were also empowered to hold special or private sessions whenever they deemed fit, or to take recognizance of misdemeanors out of the regular sessions, and bring them before the court at its regular meeting. Such cases as were not within their jurisdiction they took to the Supreme Court of Oyer and Terminer. The General Quarter Sessions was held for three days at each of its regular meetings, and to expedite matters the writs of any justice were applicable in all the counties. There was also a Court of Record held twice during each year in every county. The days for holding this court were the 5th of October and the 21st of April at New Castle; the 9th of October and the 25th of April at Dover; the 13th of October and 29th of April at Lewistown; but when either of the dates named fell on Sunday the court met on the following day. This court was known as the Supreme Court of the Counties of New Castle, Kent and Sussex upon Delaware. It was presided over by three judges commissioned by the Governor, one of whom was the chief justice. Each of them, however, had full power to issue writs of *habeas corpus*, *certiorari*, writs of error, etc. The jurisdiction of this court was rather broad, but in general it was a court of appeal, considering cases brought from the Court of Quarter Sessions, or any other on a writ of error, or appeal, or otherwise. Besides these there was a County Court of Common Pleas, held quarterly at the same times and places as the regular Quarter Sessions. The Governor issued commissions to competent justices, not less than three, who presided. They held pleas of assize, *scire facias*, replevins, informations and actions upon penal statutes, and heard all such cases as ordinarily come under the jurisdiction of similar courts. The same justices who sat in the Courts of Common Pleas were also required to sit quarterly, at nearly the same time that the Common Pleas were held, as a Court of Equity. The prothonotary of the Common Pleas Court was also register of the Court of Equity. They considered all cases in equity and any other matters coming under the control of Chancery Courts. This remained the constitution of the court until 1760, when material changes were made.

In March, 1727, the old bugbear concerning

Penn's title to the lower counties was once more started. Governor Gordon had spent some time at New Castle, and while there had secured documentary evidence that John French had been spreading reports derogatory to the proprietary's family and their authority over the lower counties. When the Governor returned to Philadelphia he laid the facts, as well as the papers, before the Council, and although it was not proven that French was making any attempt to overthrow the government, or advance any claim of his own, he was, nevertheless, removed from the Council. While in New Castle, however, the Governor had learned that William Till, who had been removed from the magistracy of Sussex County in the preceding year, had since been conducting himself very satisfactorily, and had done good service in the late Assembly. He had admitted his error, and declared that he had been imposed upon. He was, therefore, recommended for reinstatement, which was accordingly done, when the magistrates were commissioned in April. In that month the Council commissioned the following to be judges of the Supreme Court of the lower counties: David Evans, Richard Grafton, Robert Gordon, Benjamin Shurmer, Henry Brooke and Jonathan Bailey. The justices of the peace for New Castle and Sussex Counties were at the same time appointed for 1727-28, those for the former being Robert Gordon, John Richard, Joseph England, Charles Springer, Andrew Peterson, Hans Hanson, Simon Hadly, William Read, Thomas January, James James, Jr., Richard Cantwell, Joseph Robieson and James Armitage. Those from Sussex were Henry Brooke, William Till, Richard Hinman, John Roades, Woolsey Burton, Simon Kolluck, Samuel Rowland, John May, Jeremiah Claypoole, Jacob Kolluck, John Jacobs, Samuel Davis, Joseph Cord, Robert Shankland, George Walton, Enoch Cumings, and David Smith.

George I. having died June 11th, the proclamation of George II. was published at New Castle in September, it having been decided by the Governor and Council that it was unnecessary to proclaim the accession in each of the counties separately. Immediately upon the receipt of the intelligence an address of allegiance and submission to the new monarch was drawn up and signed by various magistrates and citizens of Kent, Sussex and New Castle Counties. The signers were Morgan Morgan, Enoch Morgan, Joseph Hill, Elisha Thomas, Rees Jones, Thomas Davis, David French, John French, George Ross, Robert Sparks, James Sykes, Henry Newton, John Van Gezell, Hugh Stevenson, John Hove, Samuel Griffith, Benjamin Burleigh, William Goddards, Robert Gordon, Richard Grafton, John Richardson, Charles Springer, Thomas January, William

Read, James Armitage, James James, Jr., Samuel Shennan and Jeremiah Shennan.

The October elections for sheriffs and coroners in 1727 resulted in a choice of the same officers in all the counties except in Kent, where Thomas Skidmore replaced William Rodeney as sheriff. In the following year, however, William Read was made sheriff of New Castle County, in place of John Gooding; Moses Freeman instead of Thomas Skidmore, in Kent; and John Jacobs succeeded Coroner Samuel Davis in Sussex. A vacancy in several offices occurred in October, 1728, by the death of Colonel John French, and ten of the justices of the peace for New Castle County at once addressed a petition to the Governor, requesting that whatever appointments might be made, the officers selected should be residents of the lower counties. A petition was also received from Peter Evans, praying to be at once admitted to the office of probate of wills, having been appointed by Penn, but kept out by French. Evans, however, resided at Philadelphia, and in consideration of the petition just received from the justices, his petition was not granted. Robert Gordon was appointed to fill the position, and other nominations were made, as follows: David French, to be clerk of the peace and prothonotary of the Court of Common Pleas in New Castle County; William Read, to be clerk of the Orphans' Court; and William Shaw to succeed French as attorney-general. There was nothing further of particular note which occurred to disturb the tranquil tenor of life in the territories during the next few years. Alexander Keith was appointed collector of customs at New Castle upon the death of Collector Lowman, in 1729. Later in the year a stir was created by a seditious newspaper article, which caused its publisher, Andrew Bradford, to be committed for court. The article was written by one of the missionaries sent out from England, named Campbell, who had been stationed in New Castle County, but had been forced to leave on account of unbecoming conduct. By way of revenge he had written the article mentioned, which contained numerous charges against the government of Pennsylvania and the territories, and advice to the people to revolt. He had shrewdly gotten out of the reach of the authorities, however, and had gone to Long Island.

The only indulgence in politics which was enjoyed by the people was their annual election for sheriffs and coroners in each county. But from the records of these officers it is evident that the holders of the positions were well able to manage their affairs, as those who got control of the offices in 1726 continued, with only a few changes, for four or five years, when a second lot came in, who repeated the same thing. At the elections in 1729 William Read was appointed sheriff, and

Morgan Morgan continued as coroner of New Castle County; William Rodeney regained his position as sheriff of Kent County, and Samuel Berry was re-elected coroner, and in Sussex, Rivers Holt was re-elected sheriff, while John Roades succeeded John Jacobs as coroner. In 1730 the old officers were all put out with the exception of Berry. The elections resulted in the choice of William Reid and Abraham Gooding as sheriff and coroner for New Castle County; John Hall and Samuel Berry for the same offices in Kent; and Simon Kolluck and Cornelius Wiltbank in Sussex. A nuisance which the people found themselves forced to abate was the rapidly increasing number of peddlers. Many complained that they were imposed on by the vagrants, both in quality and price, and as they paid no taxes, there was no reason why they should be allowed to have unlimited privileges. In 1731 the Assembly took the matter in hand, by prohibiting any one from engaging in this occupation without obtaining a recommendation from the justices of the County Court, and also a license from the Governor. In addition to this, they were required to give bond with at least one surety, and the cost of the license was fixed at twenty-five shillings for one who traveled in a wagon or on horse, and fifteen shillings for one traveling on foot. The elections in 1731 placed in office John Gooding and Robert Robertson as sheriff and coroner, respectively, in New Castle County. The old sheriffs were undisturbed in the other two counties, but the coroners were not so fortunate, Nicholas Loeckerman replacing Samuel Berry in Kent County, and John Clowes succeeding Cornelius Wiltbank in Sussex. In 1732, Robertsen was defeated by Henry Gonne as coroner of New Castle County. There was no change in the sheriff's office, nor in either of the offices in Kent, but in Sussex, Simson Kolluck and Joshua Fisher were elected sheriff and coroner. In the following year the only changes were that Henry Newton became sheriff of New Castle County, and Daniel Rodeney in Kent. At this time the dispute over the boundaries assumed a very serious aspect, but the border frays were quieted with less trouble than was expected.

In 1734 an important and fundamental change was made by an act regulating elections, as well as the number, of members of the Assembly. Thereafter the elections for members of the Assembly were to take place on the 1st day in each succeeding October, at the Court-Houses in New Castle, Dover and Lewistown, for the counties in which these towns were situated. Each county was then entitled to at least six representatives, but the Assembly might increase that number if it saw fit. Voting was made compulsory for all qualified electors, under penalty of a fine of twenty shillings. The Assembly thus elected met on the 20th of

October at New Castle, and the only excuses for which the Governor was allowed to temporarily change the place of meeting was a raging sickness or foreign invasion. The qualifications for the right of suffrage, and also to hold office, were that the person should be a subject of Great Britain, and twenty-one years of age. He was also required to be a freeholder within the government of the lower counties and have fifty acres of land or more, twelve of which were cleared and improved, or in lieu of this he must have possessed forty pounds in money. But in any case, he must have been a resident for two years. Any person offering to vote who was not so qualified was subject to a fine of five pounds, and was not eligible to serve as a member during that year. This punishment was also imposed for bribery. Inspectors of election were chosen, one out of each hundred, and they, with the sheriff or coroner, acted as judges of elections. Every elector handed in the names of the parties for whom he desired to vote in writing; but if he were illiterate, one of the clerks in attendance at the polls was empowered to publicly write whatever names the elector should mention, and deposit the paper in the box. Any vacancies occurring were filled by special elections under writs issued by the Governor, or in case of his failure to issue them promptly, the Speaker of the Assembly was empowered to sign them. The sheriff then publicly announced the time and place of election, and posted notices on trees, houses, and even the Court-House and places of worship. The Assembly had authority to elect a Speaker and other officers, and was the judge of the qualification and election of its own members, impeached criminals, redressed grievances, passed laws and possessed other powers necessary for the conduct of a legislative body. The quorum was two-thirds. No member was allowed to vote before he attested to a rigid oath, in which he was obliged to swear allegiance to the King, his abhorrence for the doctrines of the Catholic Church, and his belief in the divine inspiration of the Old and New Testaments. Members of the Assembly received six shillings per day, and the Speaker ten, as well as a mileage of three pence, which was paid by the counties from which they were elected.

At the October elections in 1734 all the old officers were continued except Simon Kolluck, who was succeeded by Cornelius Wiltbank as sheriff of Kent. In 1735 John Gooding once more became sheriff of New Castle County, with Henry Gonne as coroner. In Kent, Daniel Rodeney and Nicholas Loockerman retained their offices, while in Sussex both officers were changed by the election of John Shankland for sheriff, and Daniel Nunez as coroner.

The year 1740 brought forth many new measures from the law-makers of New Castle, and some of

them were of no little importance. A pound was in this year built at New Castle, and paid for by the people of the town. This was to check the nuisances suffered from horses and cattle running loose. Thereafter, if a stray horse or head of cattle were found on the property of a person whose fences were erected according to law, he might put the horse or cattle in the pound until compensated by their owners for whatever damage was done. Another improvement made at New Castle was the establishment of a regular market, and thorough regulations for its conduct. Philip Van Leuvenigh was appointed clerk, with authority to enforce conformity to its rules. Wednesday and Saturday were selected as the regular market days, and no one was allowed to buy or sell any provisions, except fish, milk and bread, anywhere but at the market-place on those days. On a breach of this rule the clerk of the market could levy on both purchaser and vender for the amount of the sale, and these fines were used for the benefit of the poor of the town. The regulations prohibited the sale of unsound beef, and the use of false weights. The size and weight of the loaves of bread allowed to be sold were fixed by the justices of the peace, and every baker was required to mark his loaves so as to distinguish them from others. No person was allowed to offer any meat for sale on Tuesdays and Fridays, except in the months of June, July and August.

It was also found necessary to appoint new trustees over the public land at Dover. The three who had been appointed in 1719—Benjamin Shurmer, William Brinkloe and Richard Richardson—had since died, and the absence of any one with authority to sell the land had been a serious drawback to the town. In their stead were appointed John Halliday, James Gorrel and Thomas Skidmore, who were authorized not only to sell all the land not yet disposed of, but also to confirm the titles of any sold by the former trustees.

The people at this time began to tire of the practice of re-electing sheriffs for a number of successive terms, but found that it was no easy matter to check. Many evils had resulted from the custom. The sheriffs had resorted to bribery, and it was also complained that their liberal distribution of intoxicating liquors usually transformed the polls into a howling mob of drunk and disorderly ruffians. Along with the many other additions to the statutes in 1740, the Assembly enacted a law prohibiting a sheriff who had served three terms to be re-elected until a like time had elapsed after the expiration of his last term, and at the same time heavy penalties were threatened on all who offered or accepted bribes in money, drink or in any form whatsoever. Another evil which received a check was the importation of paupers, in whom an extensive trade had sprung

up. It was now made unlawful to import a convict or pauper into the territories without paying a duty of five pounds for each one, and giving bond in the sum of fifty pounds for his good behavior for one year. In the case of infants or lunatics and the like, the person importing them had either to indemnify the government or return them whence they came. Special collectors were appointed to see that these provisions were obeyed in each county. John Finney was appointed for New Castle County, John Holliday for Kent and Simon Kolluck for Sussex, and any vacancies were filled by a commission from the Governor.

An attempt was also made to decrease drunkenness, blasphemy and profanity. Drunkenness and mild profanity were punished by small fines, and the culprit was placed in the stocks for from two to three hours, but for blasphemy he was set in the pillory for two hours, branded on the forehead with a B, and then received thirty-nine lashes on the bare back in full view of the public. Inn-keepers were more strictly watched, and the prices of liquor and the quantity allowed to be sold were annually fixed by the justices in each county, and the lists were posted in each tavern. Minor measures were passed, fixing the time for killing deer and making it punishable to kill a deer or fawn from January 1st to August 1st. The height of post and rail fences was put at four and a half feet, and worm fences at five feet, and several other similar laws were passed at the same time.

About the middle of 1740 the lower counties had a lively experience with Robert Jenkins, who had counterfeited a large quantity of their paper money. Jenkins was a resident of Salem, New Jersey, and, in 1739, had gone to England with a number of the bills and offered Abraham Ilive, a printer at Southwark, five guineas if he would duplicate them, and promised a further reward when he returned to America. Ilive, it appears, had printed the bills, but informed on Jenkins. The latter shipped as a cook on a vessel bound for New York, and arrived in June, 1740. Governor Clarke, of New York, was awaiting his arrival, and nine hundred and seventy-one twenty-shilling notes were found in his possession, although none of them were signed. He was taken prisoner and Governor Thomas, of Pennsylvania, was notified. He was brought to Philadelphia, and on July 3d was examined by the Governor and Recorder Andrew Hamilton, but Jenkins firmly held out that the bills, as well as two phials of red and black ink taken from his trunk, were there when it was purchased, and he knew nothing of them until they were found secreted in the top by the authorities at New York. It was plain that he was guilty, however, and he was forthwith sent to New Castle, where he was tried and convicted.

In October the elections for sheriff and coroner

in the three counties resulted in favor of John Gooding and Henry Gosne for sheriff and coroner of New Castle County, Samuel Robieson and Richard James for Kent, and Cornelius Wiltbank and John Wynkoop for Sussex. In 1741 the New Castle officers were re-elected, but in Kent County Edmund Badger succeeded Richard James as coroner, and in Sussex Peter Hall and Peter Clowes became sheriff and coroner, respectively.

The Assembly, in 1742, again passed a number of new laws with a view to preventing dueling, horse-stealing, burglary and other similar crimes. A measure deserving of more notice, however, and passed in the same year, was a jury act. The sheriffs in each county were ordered, on the receipt of proper writs from the court, to summon twenty-eight of the most able and substantial men in their bailiwicks to serve as grand jurors, and forty-eight as petty jurors, in the Court of Oyer and Terminer. For the Quarter Sessions they were to summon a grand jury in each county before the beginning of the May term, and this jury served during the year, but a petty jury was summoned quarterly, before each session of the court. But in case the sheriff was in any way connected with the parties interested in a suit pending before the courts, or was in any way disabled, his authority for summoning jurymen was transferred to the coroner.

An innovation that was now introduced was the appointment of wood-corders in every town and village in the counties. It was the duty of these officers to measure every cord of wood offered for sale and certify that the dimensions were such as were properly required. The corder received a six-pence from the purchaser for his labors.

The market at New Castle having proved a success, similar additions were made to Dover and Lewistown. The regulations were almost identical with those for the New Castle market, and the management was likewise placed in the hands of clerks. Thomas Nixon was appointed for Dover and Joshua Fisher for Lewistown.

An incident that occurred in 1742, while of no great importance, and yet giving evidence that the lower counties were progressing smoothly and harmoniously in their independent government, arose out of a quarrel between Governor George Thomas and the Assembly of the province. The Assembly had used rather harsh language in reference to the Governor, and an allusion had also been made to his allowances. In reply Governor Thomas employed the following language: "But before I proceed to a vindication of myself give me leave to say that you would have shown more exactness if you had distinguished between the perquisites of this government and those of the lower counties, for I conceive you

have no more to do with what relates to that government than you have with the income of my own private estate. To that Assembly and their constituents I am pleased with making my acknowledgment for the provision they have annually made for my support, but more particularly for the justice they have done to my administration, for from hence it will be concluded by all unprejudiced persons that the names impostor, plunderer, invader of the liberties of the people, etc., etc., are the result of personal prejudice or a malignant party spirit."

Samuel Bickley and Benjamin Cook were this year elected sheriff and coroner of New Castle County. In Kent and Sussex the old officers held over.

In 1743 the method of raising taxes in the lower counties was subjected to a complete rearrangement. At the regular October election for members of the Assembly, the voters chose an assessor for each hundred, service being compulsory. On the Tuesday after the meeting of the Quarter Sessions in November, the justices in each county and eight grand jurymen, together with all the assessors for the county, formed themselves into a sort of finance board, and estimated the amount required to meet public expenses for the coming year. When this was determined they made out a list of items and the sum required for each, after the fashion of a regular appropriations bill. In August the county clerk directed the constables in every hundred or district in his county to prepare lists containing the full name of every taxable person and all other freemen within their districts. These lists were furnished to the board in November, and were used by them in assessing the property of the county. The assessments were posted by the county clerk, and four weeks after the board held its November meeting it again convened to hear any appeals from their assessments, or to correct omissions or other errors. At this second meeting they appointed a collector in every hundred for one year. The collector was paid at the rate of ten per cent., but where he was obliged to sell any property, or arrest a tax-payer by reason of his inability to collect, his fee was limited to three shillings sixpence in the first case, and four shillings in the second. The county treasurer received and disbursed these funds, and was allowed four per cent., and his accounts were examined annually by three members of the board. The justices, grand jurymen and assessors who formed the board in New Castle County were together allowed eighteen pounds for their services, those in Kent fourteen pounds, while twelve pounds was the allowance for the Sussex board.

Matters were very quiet throughout the lower counties for several years, and even the Assembly remained comparatively inactive. The elections

for sheriff and coroner for 1744 placed Samuel Bickley and Benjamin Cook in those offices in New Castle County; Thomas Green and Thomas Parke for Kent; and William Shankland and Robert Gill for Sussex. The following year no change was made except in the office of Sheriff of New Castle County, which was filled by Gideon Griffith. In 1746, Gideon Griffith and James McMullin were elected sheriff and coroner in New Castle; John Hunter and George Goforth in Kent; and William Shankland and John Molliston in Sussex.

In 1747 and 1748 all the lower counties were kept in a great state of excitement, owing to the attacks of privateers, but this has been treated of in another chapter. In 1747 the road leading from Philadelphia to New Castle was the cause of much annoyance, owing to its bad state of repair and difficulty of improving it. At a meeting of the Council, on August 18th, two petitions were presented, one from George Gray, keeper of the lower ferry, and the other from a number of citizens of Chester County, asking that the road be repaired. The record of the road had been destroyed, and it was some time before the Council consented to have the road resurveyed, but directions were finally given for the resurveying of the road, which was now made sixty feet wide.

Late in the year a number of commissions were issued to officers in New Castle County, who, with others in the various counties of the provinces and territories, had begun to organize small companies for defense. The new officers were Captain William McCrea, Lieutenant Alexander Moody, Ensign Francis Graham; Captain Henry Dyre, Lieutenant Paul Allfree, Ensign Jerrard Rothwell; Captain David Steward, Lieutenant Jerome Dusheene, Ensign Isaac Dusheene; Captain George Gano, Lieutenant James Egbertson, Ensign Thomas Bennett; Captain David Bush, Lieutenant John McKinley, Ensign Charles Bush; Captain John Vance, Lieutenant John Vandyke, Ensign William Harraway; Captain Alexander Porter, Lieutenant James King, Ensign Samuel Allricks; Captain Edward Fitzrandolph, Lieutenant Alexander Chance, Ensign Joseph Hotham. To these were added, early the next year, Captain William Patterson, Lieutenant John Read, Ensign Thomas Montgomery; Captain William Danforth, Lieutenant Henry Colesbury, Ensign Peter Jacquet; Captain David Witherspoon, Lieutenant Alexander Armstrong, Ensign Anthony Golden; Captain James McMechen, Lieutenant Abel Armstrong, Ensign Thomas Ogle; Captain William Armstrong, Lieutenant James Morris, Ensign Thomas Philips; Captain Jacob Gooding, Lieutenant Jacob Vanbebber and Ensign David Howell. In May, 1748, still further additions were made from New Castle County by the issuing of commissions

to Captain David Finney, Lieutenant Francis January, Ensign French Battle; Captain Evan Rice, Lieutenant James Walker, Ensign Charles Bryan, Sr.; Captain John Almond, Lieutenant Luloff Peterson, Ensign Luke Monuce; Captain Timothy Griffith, Lieutenant William Faries, Ensign David Rowland; Captain Archibald Armstrong, Lieutenant Thomas McCullough, Ensign Robert Pierce. Two regiments were organized in the county, and commissions issued to John Gooding, Sr., and William Armstrong as Colonels; Thomas James and William Patterson, lieutenant-colonels; and Jacob Vanbebbber and William McCrea, majors.

In Kent County the appointments were to Captain John Vining, Lieutenant Thomas Parke, Ensign Richard Wells; Captain John Hunn, Lieutenant William Hiron, Ensign Mark Hiron; Captain Robert Blackshire, Lieutenant John Rees, Ensign William Rees; Captain George Martin, Lieutenant Jacob Allee, Ensign John Vanwinkle; Captain John Caton, Lieutenant Robert Catlin and Ensign Joseph Hodson. In August, New Castle County added Captain John Edwards, Lieutenant David Johns and Ensign Robert Stewart; and Kent, Captain David Marshall, Lieutenant David Clark, Ensign William Green; and Captain James Edwards, Lieutenant James Lewis, Ensign James James.

The elections in October, 1749, resulted in the appointment of John Vandyke and Samuel Silsby to be sheriff and coroner in New Castle County, Thomas Parke and William Blakiston in Kent, and Peter Clowes and William Shankland in Sussex. The two first-named counties retained the same officers in 1750, but Sussex elected William Shankland sheriff and Robert McIlwaine coroner. In 1751 George Munro and John Yeates were elected to fill the two offices in New Castle County. The two sheriffs were re-elected in Kent and Sussex but new coroners were elected, who were James Grey and John Rodeney.

The years 1751 and 1752 found the Assembly of the lower counties once more extremely active. One of the first matters of importance which received its attention was a new great seal for its government. The old seal had the word "Dellaware" engraved on it, and as it was feared this might in time produce trouble, a new one was thought necessary. All papers stamped with the old one were declared to be perfectly legal, and Jehu Curtis, Benjamin Chew and Abraham Wyncoop were authorized to procure the new one. It was made of silver, was two inches in diameter and contained the arms of the King of Great Britain, the words "Counties on Delaware" and the date 1751.

As no building had yet been constructed for the market-place in Dover, Nicholas Ridgely, Andrew Caldwell and Thomas Alford were selected as a

committee to lay off a square plot of ground in the middle of the court-house square on which to build a market-house. Thomas Clark was appointed clerk of the new market, and the regulations were made similar to those in New Castle. New trustees were in this year appointed for the general loan offices in the different counties. These offices had been in existence for two years, and originated in consequence of the re-printing, exchanging and re-emitting of twenty thousand pounds of paper money. The officers originally appointed were Jehu Curtis, John Vance and John McCoole for New Castle County, John Brinkley and Thomas Green for Kent, and Rives Holt and Jacob Kolluck in Sussex. Their duties comprised a general superintendence of the new issue of money, and each was required to give bond in the sum of one thousand pounds. The terms for which they had been appointed having now expired, Jehu Curtis and John Vance were reappointed in New Castle County and served with a new trustee, Richard McWilliam. In Kent County, John Vining and Andrew Caldwell were the new appointees, while both the old officers, Rives Holt and Jacob Kolluck, were continued in Sussex.

Steps were also taken toward the better maintenance of the bridges and highways in the different counties. The justices of the Quarter Sessions were instructed to appoint annually at the May session of the court one or more overseers in each hundred. All king's roads were ordered to be forty feet wide, of which thirty feet were kept grubbed and cleared, and all branches and limbs by the wayside were cut off within ten feet of the ground. Other public roads were to be thirty feet wide. Bridges over creeks or gulleys were twelve feet wide with railings three feet high. These were built and kept in repair at the expense of the county in which they were situated, unless the bridge was necessary by reason of a mill-race crossing the road, in which case the owner of the mill was obliged to attend to the bridge. If the people of any particular neighborhood considered a road necessary, application was made to the justices of the Quarter Sessions, who then chose five freeholders of good standing to examine the region through which the road was to run, and report as to the advisability of constructing it, the length, direction, damages and other necessary particulars. If the committee reported favorably, and the petitioners agreed to pay the damages, the road was constructed. To keep the roads in repair the overseers were empowered to require of every man paying taxes, amounting to thirty pounds or less, a day's work performed either by himself or a substitute. Those paying from thirty to sixty pounds were obliged to furnish two men, and all paying more than sixty pounds three men.

It was also necessary to appoint new trustees for a third time, two of the second set having died, to dispose of the remaining lots in Dover. James Gorrell, Benjamin Chew and Robert Willcocks were this time selected, with the same powers as were conferred on their predecessors. The last two mentioned were also appointed in a similar capacity in conjunction with Samuel Dickenson, John David and John Vining, to dispose of the old Dover jail and the ground about it. The people had raised a fund for building a new one, which, together with the proceeds coming from the sale of the old jail, was placed in the hands of the trustees to purchase a new lot. The sheriffs and coroners elected in October, 1752, were George Monroe and John Yeates for New Castle County, John Clayton and French Battle for Kent, and William Shankland and John Rodeney for Sussex County. In 1753 Monroe was re-elected, but John Yeates was succeeded as coroner of New Castle County by Robert Morrison. John Clayton, Jr., became sheriff of Kent County and French Battle retained his position as coroner. Two new officials were elected in Sussex County, the sheriff being Jacob Kolluck, Jr., and coroner John Spencer.

In 1754 Jehu Curtis, the second judge of the Supreme Court, died, and William Till was appointed to succeed him by Governor James Hamilton. Several justices had also died in Kent County and a new commission was issued, at the same time, appointing Samuel Dickinson, John Brinckloe, Thomas Clark, Samuel Johns, William Farson, John Vining, George Wilson, George Martin, John Goadin, Stephen Parradee, Robert Willcocks, Richard Wells, Thomas Irons and John Clayton, Jr.

The French and Indian War had by this time become merely a question of time. The French encroachments in the West had already stirred the people into activity, and all the colonies were taking whatever measures they were able to assist in the common defense. In 1754 the Assembly of the lower counties on Delaware had provided for raising a thousand pounds for His Majesty's use, and the following year, when the crisis was still nearer, an act was passed for establishing a militia. Braddock had by this time arrived and was already in the West. Every one was eager to assist in any way possible to decrease the hardships of the journey. The lower counties, not feeling themselves able to render any great assistance, but yet desirous of doing all within their power, sent a load of provisions to the general and also a herd of cattle for the army. Governor Robert Hunter Morris forwarded with them the following letter:

"Dear Sir: I have just time by the bearer to tell you that he brings in his wagon the several things expressed in the list enclosed, which you will order to be received from him, and with my hearty wishes for the General's health and success, desire he will do the little government of New Castle, Kent and Sussex the honor to accept of this small token of their regard for him and the cause in which he is employed.

"Some days ago, fifty very fine oxen went from hence and are to be joined by one hundred fat sheep at Lancaster, which the General will put to such use as he thinks fit, upon the present service.

"I am Sir, your most humble servant,

"ROBT. H. MORRIS.

"Philadelphia, June 9th, 1755.

"To Capt. Robert Orme."

The list of provisions sent included twelve hams, eight cheeses, two dozen flasks of oil, ten loaves of sugar, one cask of raisins, one box of spice and currants, one box of pickles and mustard, eight casks of biscuits, four kegs of sturgeon, one keg of herring, two chests of lemons, two kegs of spirit, one cask of vinegar, one barrel of potatoes, and three tubs of butter.

The elections in 1755 for sheriff and coroner in the various counties proved the successful candidates to be William Goldensher for sheriff, and Robert Morrison for coroner of New Castle County; Caesar Rodney and French Battle, for the same offices in Kent County; and Jacob Kolluck, Jr. and Paynter Stockley in Sussex. In 1756 the war was declared, and preparations began in earnest. A map of Delaware Bay and River, which had been prepared by John Fisher, was about to be published, when Governor Morris ordered the publication to be postponed, lest a copy should reach the hands of the enemy and furnish them with assistance. The Assembly of the lower counties provided for striking the sum of two thousand pounds in new bills of credit, and on May 20th an embargo was declared prohibiting any exportation of provisions or arms from either of the three counties. This latter act, passed in May, expired on July 7th, as did also a similar law in the province. The Governor at once requested the province to renew their embargo, but this they stoutly refused to do, unless the lower counties would continue the embargo passed by their Assembly. Governor Morris went to New Castle to induce the Assembly to extend the time of the act, but they were only willing to continue it until July 20th, and from then for as long a period as the province might pass a similar act, but in no case should the time extend beyond October 22d. New York and New Jersey had put effective embargoes into operation, but unless the barriers existed on every side the Assembly of the province held that an embargo would be not only useless, but harmful to them. The bill was finally passed, although it was the cause of much displeasure to many merchants, and later brought forth a vigorous protest from them.

The elections in the lower counties for 1756 resulted in favor of William Golden and Robert Morrison for sheriff and coroner of New Castle County, Caesar Rodney and Matthias Crozier for Kent, and John Rodney and Wrixam Lewis for Sussex. A month later, by the beginning of November, the three counties had organized their militia in accordance with the acts of the Assem-

bly, and the following commissions were issued : for the Upper Regiment of militia in New Castle County, New Castle Hundred, North Division, Captain Richard McWilliam, Lieutenant Nathaniel Silsby, Ensign Zachariah Luwanigh ; South Division, Captain Alexander Porter, Lieutenant Samuel Aldricks, Ensign John Bryan ; White Clay Creek Hundred, West Division, Captain Rees Jones, Lieutenant Samuel Platt, Ensign Thomas Williamson ; East Division, Captain Samuel Patterson, Lieutenant Thomas Dunn, Ensign William Reid ; Miln Creek Hundred, North Division, Captain Evan Reese, Lieutenant James Walker, Ensign William Ball ; South Division, Captain Thomas Gray, Lieutenant William McMeahan, Ensign Alexander Montgomery ; Christiana Hundred, Southwest Division, Captain James Latimer, Lieutenant Empson Bird, Ensign Thomas Duff ; Southeast Division, Captain Andrew Trauberg, Lieutenant William Hay, Ensign Robert Robinson ; North Division, Captain Thomas Ogle, Jr., Lieutenant John Armstrong, Ensign John Hendrickson ; Brandywine Hundred, Southwest Division, Captain William Empson, Lieutenant Thomas McKim, Ensign John Elliot ; Northeast Division, Captain Emanuel Grub, Jr., Lieutenant Benjamin Ford, Jr., Ensign Benjamin Kellam ; Field Officers, Colonel William Armstrong, Lieutenant-Colonel John Finney, Major John McKinley.

The Lower Regiment of New Castle County was composed of the following officers, commissioned from the places named ; St. George's Hundred, Captain John Jones, Lieutenant Jerome Dushane, Ensign Isaac Gooding ; Captain John Vance, Lieutenant John Vandyke, Ensign John Anderson ; Captain Adam Peterson, Lieutenant William Whittle, Ensign Alexander Bryan ; Apoquinimink Hundred, Captain William Williams, Ensign Garrett Rothwell ; Captain Alexander Chance, Lieutenant Charles Carson, Ensign Daniel Weldon ; Captain George Ganz, Lieutenant Matthew Rhea, Ensign Thomas Bennet ; Red Lion Hundred, Captain Jacob Gooding, Lieutenant Thomas Tobin, Ensign David Howell ; Pencader Hundred, Captain Lewis Thomas, Lieutenant David Barr, Ensign William Mitchell ; Captain Thomas Cooch, Lieutenant Alexander Porter, Ensign David Rowland ; Field Officers, Colonel Jacob Vanbebber, Lieutenant-Colonel David Wetherspoon, Major Thomas James.

The Kent County militia was as follows : Upper Part of Mispillion Hundred, Captain Thomas Clark, Lieutenant Elijah Morris, Ensign Joseph Marrat ; Middle Part of Mispillion Hundred, Captain Robert Killen, Lieutenant Archibald Fleming, Ensign Samuel Bevins Turner ; Lower Part of Mispillion Hundred, Captain Benjamin Brinklee, Lieutenant John Molliston, Ensign

Isaac Hall ; Town of Dover, Captain John Clayton, Lieutenant French Battle, Ensign James Wells ; Dover Hundred, Captain Caesar Rodney, Lieutenant James Sykes, Ensign Caleb Luff ; Upper Part of Little Creek Hundred, Captain John Barnes, Lieutenant James Tybout, Ensign Matthew Crozier ; Lower Part of Little Creek Hundred, Captain John Brinklee, Lieutenant Willson Buckmaster, Ensign Stokely Sturgis ; Murder Kiln Hundred, Captain Daniel Robinson, Lieutenant Charles Hillyard, Ensign Benjamin Warren, Jr. ; Lower Part of Murder Kiln Hundred, Captain William Rhoades, Lieutenant Joseph Hutcheson, Ensign Thomas Craig ; Upper Part of Duck Creek Hundred, Captain David Clark, Lieutenant John Reese, Ensign John Cahoon ; Lower Part of Duck Creek Hundred, Captain Charles Hillyard, Lieutenant Jacob Stout, Ensign Thomas Tilton ; Tidbury, Captain John Caten, Lieutenant Joseph Caldwell, Ensign James Caldwell ; Field Officers, Colonel John Vining, Lieutenant-Colonel John Brinkle, Major Andrew Caldwell.

The Sussex County militia was organized as follows : for the northern military district of Cedar Creek Hundred, Captain Benjamin Wynkoop, Lieutenant Bethuel Watson, Ensign Levin Cropper ; for the southern military district of Cedar Creek Hundred, Captain Thomas Hill, Lieutenant Isaac Watson, Ensign Nehemiah Davis ; for the northern military district of Broad Kiln Hundred, Captain John Haverloe, Lieutenant James Shipman, Ensign George Claypoole ; for southern military district of Broad Kiln Hundred, Captain Joseph Cord, Lieutenant William Craig, Ensign Absalom Little ; for the northern military district of Lewes and Rehoboth Hundred, Captain David Hall, Lieutenant Jacob Kolluck, Jr., Ensign John Hall ; for the southern military district of Lewes and Rehoboth Hundred, Captain John Newbold, Lieutenant Rice Wolf, Ensign Peter March ; for the northern military district of Indian River Hundred, Captain Cord Hazzard, Lieutenant Peter Robinson, Ensign Thomas Prettyman ; for the southern military district of Indian River Hundred, Captain Burton Waples, Lieutenant John Burton, Ensign William Prettyman ; Field Officers, Colonel Jacob Kolluck, Lieutenant-Colonel Rives Holt, Major Jacob Phillips.

The returns for the militia of the lower counties summarized the above as follows : The Upper Regiment of New Castle County contained eleven companies, with the officers named and two sergeants for each company, with an average of sixty privates. The Lower Regiment of New Castle County consisted of nine companies, averaging about fifty privates, but with the same officers as in the Upper Regiment. Kent and Sussex Counties furnished twelve and eight companies respect-

ively, and the officers and privates in each were the same as in the various companies of the Lower Regiment of New Castle County. From this it appears that the lower counties organized a force of over two thousand troops.¹ In 1757 the same zeal was continued, the Assembly passing acts for striking bills of credit to the amount of four thousand pounds for His Majesty's use, for punishing desertions and mutiny in the army. A considerable difficulty arose about the middle of the year in consequence of the scruples entertained by the Quakers against bearing arms, and their stubborn resistance of the militia laws. The first instance that occurred was early in January. Christopher Wilson, of Christiana Hundred, had been summoned by Captain Thomas Ogle, but refused to appear. While seated on his horse, shortly afterwards, conversing with a friend, Samuel Clenny, two constables, William Bradshaw and Thomas Elliot, placed him under arrest, and he was afterwards taken before Justice David Bush. The justice, with very little ceremony, ordered him to jail and he was taken to New Castle. In June, however, a number of complaints were lodged against the same Justice Bush. Joseph Nickols complained that he had been summoned to appear before him and state why he had not complied with the provisions of the militia acts. He assured the magistrate that he was moved altogether by the dictates of conscience, and not at all by a desire to disobey the laws; but notwithstanding, the constables soon appeared and seized a cow. Joshua Baker had suffered in the same way, and Ruth Mendenhall testified that four men had come with swords and clubs and dealt out a similar fate upon her son. Thomas Nickols was another of the victims. These cases were brought to the attention of the Governor, and in addition other incidents of a like nature were cited. Joseph Newlin, John Perry, Jacob Robinson, Richard Carsan, William Shipley, Jr., and Henry Troth all complained that their property had been seized to pay the fines exacted by Justice Bush for an act which they held was specially permitted by charter. Governor Denny took the matter under consideration, but it was allowed to drop. The incident at least served the Assembly of the province with a weapon of defense against the Governor, who had chided them for not being as diligent in the passage of militia laws as the lower counties.

Considerable jealousy had, in fact, sprung up in the province. The Governor was accused of being partial to the lower counties, and insinuations and attacks of every description were publicly aimed at them. The only notice taken of this by the Assembly at New Castle was in an address to Governor Denny in October, 1757, when they expressed their disgust at such assaults, and their

delight at being independent of the province. The charges were in truth most unjust, for the part taken by the lower counties in the French and Indian War was relatively, and in some respects absolutely, far greater than that taken by the province.

By the end of 1757 they had nearly four thousand troops organized. A battery and barracks were also begun late in the year, and the little government was boldly straining every nerve to faithfully perform its duty. The embargo was renewed at New Castle and Lewistown in March, 1758, and very soon afterwards Governor Denny convened the Assembly at New Castle. In his speech before that body, he informed them that in letters lately received from England, the King promised to make every effort at the coming session of Parliament to secure the passage of an act for compensating the provinces for their efforts in his behalf, but also requesting all possible assistance at that very critical moment. The Assembly promised, through Speaker Jacob Kolluck, to do all in their power, and regretted that their means were not sufficient to allow them to offer as much as their inclinations prompted. Nevertheless, an act was soon passed for raising a loan of eight thousand pounds.

In April, 1759, the Assembly passed a bill for reprinting and exchanging twenty thousand pounds of bills of credit, and for striking seven thousand pounds additional for His Majesty's use. Jacob Kolluck, William Armstrong and Caesar Rodney were appointed to superintend the printing of the twenty-seven thousand pounds, the bills varying from one to twenty shillings. They were signed by William Armstrong of New Castle County, Johns Barns of Kent, and David Hall of Sussex. Ten thousand pounds were placed in the hands of the trustees of the loan office in New Castle County, and for Kent and Sussex, their trustees received respectively six and four thousand pounds for re-distribution. The seven thousand pounds were placed in charge of Messrs. John Finney, George Munro, Caesar Rodney, Joseph Caldwell, David Hall and Joseph Kolluck, Jr., and was to be used in the support of one hundred and eight men for service in the southern colonies, the money being raised by an additional tax of six-pence on the pound for five years. The reason for joining together these two measures, which it seemed might better have been passed separately, soon became apparent. They had pursued the latter course on a former occasion, but the proprietary had objected to the re-emission. When the Governor and Council came down to New Castle, on May 5th, they flatly refused to ratify the double measure, for the reason named, and also because in the previous year the lower counties had supported three hundred men, and now had cut the number down to one hundred and eighty. A conference was held between the Governor and the Speaker of the

¹ "Archives of Pennsylvania," p. 87.

Assembly who politely informed him that the House had resolved to furnish no men at all if they were compelled to alter their bill. They well saw that the Governor could not afford to reject their assistance, no matter how insignificant it was. Their calculations soon proved to be correct, for on the 7th the Council reluctantly ordered the Governor to sign the bill.

In October the returns for the election of sheriffs and coroners announced that in New Castle County John McKinley and William Smith had been elected; in Kent County, Thomas Parker and William Wells, and in Sussex, Joseph Shankland and Jabez Fisher.

In April, 1760, the Assembly was met by Gov. James Hamilton, who had succeeded Gov. Denny in November. He announced new instructions from the King, graciously thanking his American subjects for their services, and offering to arm and supply with provisions the large number of men which he hoped they would continue to raise. The Assembly asserted their desire to comply with this to the utmost limit of their ability, and at the same time handed the Governor two bills for his signature. Governor Hamilton withheld his signature, to learn what they proposed to do in connection with his war message; but on their promise to issue a new loan, he signed the bill and returned to Philadelphia. The Assembly this year placed four thousand pounds at his disposal, but they now also devoted some attention to internal affairs, which had for several years been subordinated to the war. The Supreme Court was completely reorganized under the name of the Supreme Court of the Government of the Counties of New Castle, Kent and Sussex upon Delaware. It was to meet at New Castle on the twenty seventh of April, and the twenty third of October, at Dover on the twenty eighth of October, and on the Monday preceding the meeting of the Court of Common Pleas in May, and at Lewistown on the Mondays preceding the meetings of the Court of Common Pleas in May and November. There were now to be the chief justice and three others to preside, instead of two, as before. A supplement to the act passed in 1719, for encouraging the construction of good mills, was also passed in 1760, and an agent for the government of the lower counties was stationed at London to look after their interests. The agent appointed was David Barclay, Jr., of London.

Thomas Dunn and James Walker were elected sheriff and coroner at the October elections in New Castle County; William Rhodes and Jabez Jenkins in Kent; and Joseph and David Shankland in Sussex.

In 1761 the London agent announced that he had received something over three thousand pounds, as the share belonging to the three counties, out of a sum granted by Parliament as com-

pensation to the colonies. The agent was allowed to retain one-half per cent., and for the management of the residue Benjamin Chew and William Plumstead were appointed trustees. One-half of this sum was paid to New Castle County, three-tenths to Kent, and the remaining two-tenths to Sussex, and the money was employed in liquidating the debts contracted in consequence of the war.

The days for holding the Supreme Court were again changed this year, and were fixed for New Castle on the fifth of April and fifth of September; for Dover on the fifteenth of April and fifteenth of September; and for Lewistown on the Fridays preceding the meetings of the May and November sessions of the Quarter Sessions.

Another payment was received by Agent Barclay in London, in 1762, this time amounting to three thousand seven hundred and forty-five pounds, and paid pursuant to an act of Parliament of 1759. William Plumstead and Benjamin Chew were again appointed to manage the fund. The money was divided among the counties in the same proportion as the first payment and applied to similar purposes. These payments were a great relief to the people, to whom the war had been a heavy burden. They at once rallied, however, and again began to employ their money for purposes more profitable than war. The public roads were the first things that were looked after. In Kent County the road beginning at Salisbury, dividing Kent and New Castle Counties, and thence running to Dover, as well as the two draw-bridge roads leading from Dover, were now made public or king's roads, which placed them under the care of the county authorities. In Sussex County the roads running from the Three Runs through Lewistown were raised to the same dignity. In New Castle County a new highway was built, beginning at the border of Chester County and going to Brandywine Creek, and from there one was laid out to Salisbury and another to Blackbird Bridge.

The successful candidates in 1762 for sheriff and coroner for New Castle County were Thomas Dunn and James Walker; for Sussex, Daniel Nunez, Jr., and Samuel Rowland, Jr.; and for Kent, William Rhodes and John Gray. The next year the same offices were filled in New Castle County by Thomas Duff and William Stewart, in Sussex by Daniel Nunez, Jr., and John Wattom, and in Kent by Daniel Robertson and John Gray.

In 1764 the roads of New Castle County again occupied the attention of the Assembly. An entirely new system was adopted in this county for their management, the old one not having given satisfaction. The roads were now placed under the control of a board of commissioners, consisting of Messrs. John Stapler, Thomas Tobin,

David Stewart, George Monro and John McKinley. They had entire control over the building and repairing of roads, and also filled up vacancies in their own body. No changes were made in this year in New Castle County offices by the annual elections, but in Kent Thomas Collins and Matthew Manlove were elected sheriff and coroner, and in Sussex Daniel Nunez, Jr., continued as sheriff and Henry Davis was elected coroner. In November new commissions for the justices of the Court of Oyer and Terminer were issued to John Vining, Jacob Vanbebber and Richard McWilliam. To these John Clowes was added in 1765, and Robert Killen received an appointment as an additional justice of the peace for the Mispillion hundreds in Kent County, while the elections in the same year in the lower counties, resulted in the choice of Thomas Duff for sheriff of New Castle County and James Walker for coroner. In Kent County Thomas Collins and John Gray were elected, and in Sussex Rhoads Shankland and Nathan Young. In 1766 John Thompson and James Walker were elected to fill the two offices in New Castle County. The old sheriffs were re-elected in both the other counties, but new coroners, who were Solomon Wallace and Thomas Gray, for Kent and Sussex, respectively. Governor John Penn went down to New Castle on October 21st and passed a number of bills. A slight hitch occurred over a measure relating to testamentary affairs and providing for the better security of orphans in the enjoyment of their estates, probably owing to its great length. The Assembly finally submitted to certain amendments offered by the Governor, and this also became a law. While at New Castle Governor Penn issued commissions to Jacob Stout, Fenwick Fisher and Thomas Tilton to be justices of the peace in Kent County in places where none existed. For the County Courts of the same county he also appointed as justices John Caton, Richard Wells, Thomas Irons, Andrew Caldwell, Caesar Rodney, Charles Ridgely, John Barns, James Sykes, William Rhoades, William Rodney, Robert Holliday, John Clark and Robert Killen. Another act of importance which received the Governor's signature while on this visit to New Castle was providing for changing the methods of choosing inspectors of elections and assessors, both of which officers were thereafter appointed by the qualified electors in each hundred at meetings held for the purpose on the 15th of every September.

The first shadows of the Revolution had by this time cast themselves plainly in the light of the people. The Stamp Act in 1765 stirred up the righteous indignation of the colonists to the highest pitch. After having put forth every effort in the French and Indian War, to be thus ungratefully treated in return was more than they could

quietly bear. To the Congress which was called at New York by the other colonies to protest against the Stamp Act the lower counties sent Caesar Rodney, Thomas McKean and Jacob Kolluck, the Speaker of the Assembly. When the act was repealed the rejoicing was only equaled by the depression upon its passage. Rodney and McKean were again selected by the Assembly to draw up an address to the King, expressive of their gratitude. They little imagined when the address was prepared, the changes which the next decade were to bring, as may easily be gleaned from the following extract teeming with sentiments of love and loyalty for Britain:

"We cannot help glorying in being the subjects of a king that has made the preservation of the civil and religious rights of his people, and the established constitution, the foundation and constant rule of his government, and the safety, ease, and prosperity of his people, his chiefest care; of a king whose mild and equal administration is sensibly felt and enjoyed in the remotest parts of his dominions. The clouds which lately hung over America are dissipated. Our complaints have been heard and our grievances redressed; trade and commerce again flourish. Our hearts are animated with the warmest wishes for the prosperity of the mother country, for which our affection is unbounded, and your faithful subjects here are transported with joy and gratitude. Such are the blessings we may justly expect will ever attend the measures of your majesty, pursuing steadily the united and true interests of all your people throughout your wide-extended empire, assisted with the advice of a British parliament and a virtuous and wise ministry. We most humbly beseech your majesty graciously to accept the strongest assurances that, having the justest sense of the many favors we have received from your royal benevolence, during the course of your majesty's reign, and how much our present happiness is owing to your paternal love and care for your people, we will at all times most cheerfully contribute to your majesty's service to the utmost of our abilities, when your royal requisitions, as heretofore, shall be made known; that your majesty will always find such returns of duty and gratitude from us, as the best of kings may expect from the most loyal subjects, and that we will demonstrate to all the world that the support of your majesty's government, and the honor and interest of the British nation, are our chief care and concern, desiring nothing more than the continuance of our wise and excellent constitution in the same happy, firm and envied situation in which it was delivered down to us from our ancestors and your majesty's predecessors."

But the enthusiasm of their affection was destined soon to be dulled. In 1767 another odious act was passed by Parliament, imposing duty on tea, paper, glass and other commodities imported to the colonies. Again the protestations of the colonists were forwarded in addresses, petitions and remonstrances to King George. This time, however, they were not so promptly complied with. The taxes were continued and the Revolution began to assume definite form.

To return to the internal affairs, we find the years 1767 and 1768 comparatively uneventful in Delaware. At the instance of the merchants of Philadelphia, the Assembly of the province placed buoys on the shoals in Delaware Bay in 1767, and for the surveys employed Henry Fisher, of Lewistown, who had also been engaged by them in 1764 to select a site for the first light-house at Cape Henlopen. The election in 1767 placed in office John Thompson and James Walker as sheriff and coroner of New Castle County; James Wells and Solomon Wallace in Kent; Rhoades Shankland and William Parker in Sussex. In 1768 William McClay succeeded Walker, and Boaz Manlove

and George Walker were elected as sheriff and coroner in Sussex County, but the other officers were re-elected.

The year 1769 found the Assembly once more in a mood for extensive legislation, and they dealt with every subject from the Supreme Court down to an attempt to prevent pigs from running at large without yokes and rings in certain parts of New Castle County. New trustees were appointed to the several loan offices in the different counties, the terms of the old officers having expired. The officers chosen were Evan Rice, Thomas McKean and Richard McWilliam for New Castle County; John Vining and Caesar Rodney for Kent; and Jacob Kolluck and John Rodney in Sussex, they having been all reappointed. The days for the convening of the Supreme Court were changed again, the days selected on this occasion being the 14th of October and the 15th of April for New Castle, the 7th of October and the 22d of April for Dover, and the Friday following the meeting of the November Quarter Sessions and the 28th of April at Lewi-town. On the Governor's visit to New Castle in October he issued a new commission for justices of the peace and the Court of Common Pleas in New Castle County, appointing Evan Rice, John Stapler, Thomas James, David Finney, William Patterson, Thomas Cooch, William Armstrong, James Lattimer, John Jones, Thomas McKim, William Williams, Jacob Peterson, John Evans, Thomas Tobin, Theodore Maurice, Thomas McKean, Benjamin Noxen and John Malcolm. In January, 1770, five new justices were appointed in Kent County, owing to the failure of some of the justices nominated on the last commission to qualify. The new magistrates were Thomas Rodney, Warner Mifflin, James Boyer, Thomas Hanson and Jonathan Anderson.

In 1772 the Assembly came to the rescue of the people of Wilmington, who were continually entangling themselves in disputes over the situation and direction of the streets whenever a new building was erected. The boundaries were fixed as well as land marks. The burgesses were empowered to appoint three or more surveyors to regulate the construction of party-walls and other matters which also had given rise to trouble, and regulations for laying off streets and alleys were also drawn up, but not conflicting with the law of the borough for the same purpose. A trouble of a more annoying nature, and one which had unfortunately not been satisfactorily dealt with in many parts of the country, even after the lapse of more than a century, was the prevalence of fraud at elections. The sheriff or, in his absence the coroner was now made the judge of election, to be assisted by the inspector, who was required to take a rigid oath to assist to "prevent all frauds and deceits" at the election. These officers were aided

by two clerks, who recorded the name of the voter and the person for whom he voted. As the inspector received a vote, he was required to call out in a loud tone the name of the elector, which was taken down by the clerk. A series of boxes were supplied by the sheriff, each containing the name of a hundred in the county, to receive the votes of their respective inhabitants. At the close of the election, the list of voters and number of votes cast by each hundred were compared, but as there was no requirement providing for throwing out the excess of votes over electors, the object of this proceeding is not quite clear. Fines were imposed for attempting to vote twice, and for many similar crimes which still destroy fairness at elections. While the law contained no very striking features, yet it is noteworthy as an early attempt to secure the purity of the ballot-box. Later in the same year, steps were taken to check the numerous lotteries which were springing into existence; a market was established at New Ark; and the ground on which the public buildings stood at New Castle was placed in charge of trustees, the gentlemen named being Thomas McKean, George Read, John McKinley, Alexander Porter, George Munro, John Evans and David Thompson. A piece of ground on which the people desired to erect a school, and situated in the market square at New Castle, was also vested in trustees, and those appointed for this trust were David Finney, John Thompson, George Read, Thomas McKean and George Munro. The Rev. Aeneas Ross and Messrs. Richard McWilliams and Joseph Tatlow were appointed in a similar capacity over the ground on which stood the Immanuel Church and burying-grounds. The elections in 1772 resulted in the choice of John Thompson and Joseph Stedham for sheriff and coroner of New Castle County; John Cook and Caleb Furby in Kent; and Peter Robinson and David Drain in Sussex.

The following year little occurred in the lower counties worthy of note, except changes in the magistracy, the erection of a bridge at Lewistown over Lewes Creek, and the departure of the Rev. John Ewing and Dr. Hugh Williamson to Europe to seek aid for the New Ark Academy; nor was the year 1774 more fruitful of events for the historian. In 1775, however, notwithstanding the lowering clouds of the Revolution, the people found time to devote attention to several matters of importance, although quite foreign to the preparations for war. Conspicuous among these was the care of the poor. The management of the poor was placed in the hands of overseers appointed by the justices of the peace. Service was compulsory upon these officers when once elected, and it was their duty to levy special taxes in each hundred for the maintenance of the local indigent. They lodged or sought employment for the poor, as the circumstances of

each case directed, but no person received assistance without the certificate of two justices. Parents and grandparents were required, when able, to support their poor children and grandchildren, and the children were also expected to support their parents and grandparents. The Court-House and public building at Dover was now placed in the hands of trustees, as those at New Castle had been, the trust devolving upon Caesar Rodney, Charles Ridgeley, Samuel Chew, William Killen and Jacob Stout. In September a bill was passed by the Assembly for emitting bills of credit to the amount of thirty thousand pounds, under the direction of Thomas McKean, Alexander Porter and John Clowes. The avowed object of this was the payment of public debts, but the approaching Revolution was doubtless what inspired this last bill.

CHAPTER XIII.

MANNERS AND CUSTOMS OF THE EARLY INHABITANTS.

THIS history would not be complete if we did not pause here, at the birth of the State of Delaware, to give something like a picture of the social and domestic life of the inhabitants of the prosperous and growing colony about the year 1775, and the manners and customs of the early settlers, the pioneers among those hardy pale-faces before whose advance the natives of the soil melted away and disappeared.

When the first white man came within the present limits of Delaware he found the ground closely occupied with a continuous growth of the primeval forests, except where swamp and marsh and the daily flow of the tide prevented the trees from growing. The sole population were the Delaware, Susquehanna and Nanticoke Indians—hunters and fishers, with corn-fields and patches for beans, squashes and melons. In the deep but not impenetrable forests, of oak, hickories and pines, a few, but not many, Indians had their lodges or huts. The hunting and fishing were good; the deer came to the borders of all the small streams, and the surface of the waters was populous with dense flocks of wild-fowl,¹ while their depths

teemed with fishes of every size, from the sturgeon to the smallest pan-fish. The great oak-groves were favorite resorts of bucks and does, turkeys and partridges, and wild pigeons, and there seemed to have been a regular "pigeon-roost," or breeding-place for the gregarious bird (if we may accept the ordinary interpretation of such Indian names) at Moyamensing.² In the spring and early summer months, just after the Indians of the interior had planted their corn and beans, the Delaware and Schuylkill were filled with incalculably large shoals of the migratory fish, pressing towards fresh water in order to deposit their spawn, and pursued by schools of the predatory sea fish. At these seasons the shores of the rivers were thronged with Indians and their lodges, while their canoes darted gayly over the surface, men, women and children spearing or netting fish, and cleaning and drying them. The sturgeon, the porpoise, now and then the salmon, were all caught, with innumerable shad, herring, alewives and bream, pike and perch. In the autumn again the Indians were drawn to the river-shore by the attractions of the oyster bars and banks. This was in the interval after the corn harvesting and the beginning of the winter hunting.

The territory in the neighborhood of New Castle had grown to be familiar for councils and general conferences of the Indian tribes. At the time the whites came to the Delaware, the Nanticokes, the Susquehannas, the Delawares, the Shawanees and the Iroquois were accustomed to kindle their council-fires, smoke the pipe of deliberation, exchange the wampum belts of explanation and treaty, and drive hard bargains with one another for peltries, provisions and supplies of various kinds, on the banks of the river and bay which bears the name of Delaware. The trails made by the savages in going to and from their points of union were deep and broad at the coming of the whites, and they have generally been followed in laying out the early roads.

The first white settlers within the present bounds of Delaware, as has already been shown in the preceding chapters, and the only white settlers previous to the coming of Penn who made any distinct and durable impress upon the country, were the Swedes. Their first, second and third colonies, which arrived out in 1638 and 1640, and

¹ In their journal of a voyage to Maryland, in 1679, Messrs. Dankers and Shuyter, under date of December 31, say that when they arrived at the house of Augustine Herman, in Cecil County, Md., they "were directed to a place to sleep, but the screeching of wild geese and other wild fowl in the creek (Bohemia) before the door, prevented us from having a good sleep."

They proceeded down the Eastern Shore of Maryland to Salisbury, and on their journey back to New Castle crossed the Sassequas River, where they say they never saw so many ducks. "The water was so black with them that it seemed, when you looked from the land below upon the water, as if it were a mass of filth or turf, and when they flew up there was a rushing and vibration of the air like a great storm coming through the trees, and even like the rumbling of distant thunder, while the sky over the whole creek was filled with them like a cloud, or like the starlings fly at harvest time in Fatherland." On the Sassequas River, at Mr. Friby's plantation, they say, "We must not forget to mention the great number of wild geese we saw here in the river. They rose not in flocks of ten, or twelve, or twenty, or thirty, but continuously, wherever we pushed our way; and as they made room for us, there was such an incessant clattering made with their wings upon the water where they rose, and such a noise of those flying higher up, that it was as if we were all the time surrounded by a whirlwind or a storm. This proceeded not only from geese, but from ducks and other water-fowl; and it is not peculiar to this place alone, but it occurred on all the creeks and rivers we crossed, though they were most numerous in the morning and evening, when they are most easily shot."

² "Moyamensing signifies an unclean place, a dung-heap. At one time great flocks of pigeons had their roost in the forest and made the place unclean for the Indians, from whom it received its name."—*Acetina*.

the fifth colony also, which came between those of Printz and Risingh, contained a good many Dutch, and were indeed partly recruited and fitted out in the Netherlands, with Dutch capital and under Dutch management. It is also the fact that the Dutch sent parties frequently to the Zuydt River to settle and plant, as well as to trade with the Indians, and that Stuyvesant, after the recapture of Fort Casimir, the overthrow of Risingh's government and the subjugation of New Sweden, sent many of his people to the south side of Delaware to settle the country. For all that the Swedes were the first permanent colonists. The Dutch were adventurers, fond of trading and navigation. As a rule they did not bring their families to the Delaware with them, and they could easily reach their own countrymen in New York after English rule had been established by Lovelace, and the trade in furs and peltries was no longer profitable so low down on the Delaware. The Swedes and Finns, on the other hand, had no such migratory propensity. They were like trees, and grew in the soil to which they had been transplanted, as if they had never known any other. As a rule they had not emigrated from their native country from choice, but were transplanted by force. One reason, indeed, why the Dutch partners had been invited to co-operate with the Swedish West India Company was that emigrants and volunteers to the new country were so hard to procure.

The Swedish and Finnish peasants had very strong local attachments. They did not wish to abandon their native soil, in spite of the scanty livelihood it assured them. The "Kalmar Nyckel" and the "Gripen" were delayed a long time in getting their passengers for the first voyage under Minuit. It is not certainly known that of this party with Minuit, more than one person—Lieut. Mäns Kling—was a Swede. Anders Svensson Bonde, Peter Gunnarsson Rambo, Per Andersson, Anders Larsson Daalbo, Sven Larsson, Sven Gunnarsson, his son, Sven Svensson, Lars Svensson Käckin, Moens Andersson, Iven Thorsson and Märten Göttersson were all of them certainly in New Sweden in 1640,¹ but it cannot be shown whether they came over with Minuet or with his successor, Hollandaer. As Prof. Odhner shows by the record, "the people entertained a repugnance to the long sea-voyage to the remote and heathen land. It is affirmed in the letters of the administration to the Governors of the provinces of Elfsborg and Värmland, that no one spontaneously offered to accompany Capt. Van Vliet (who was originally appointed to command the ship that bore Hollandaer's party, but was

superseded before sailing by Capt. Powel Jansen). The government ordered these officers, therefore, to lay hands on such married soldiers as had either evaded service or committed some other offense, and transport them, with their wives and children, to New Sweden, with the promise to bring them home again within two years,—to do this, however, 'justly and discreetly,' that no riot might ensue." In 1640 again the Governor of the province of Örebro was ordered to prevail upon the unsettled Finns to betake themselves, with their wives and children, to New Sweden. Lieut. Mäns Kling, who was now back in Sweden, was sent to recruit for emigrants in the mining regions of Westmanland and Dalarne. He was also particularly instructed to enlist the "roaming Finns," who were tramps, or squatters living rent free in the forests. Next year, when Printz had received his commission, he was sent to hunt up the same class of persons, the Governors of Dal and Värmland receiving orders to capture and imprison, provided they could not give security or would not go to America, the "forrest-destroying Finns," who, as described in a royal mandate, "against our edict and proclamation, destroy the forrests by setting tracts of wood on fire, in order to sow in the ashes, and who maliciously fell trees." A trooper in the province of Skaraborg, who had broken into the cloister garden of the royal monastery at Varnhem, in Westergothland, and committed the heinous crime of cutting down six apple-trees and two cherry-trees, was given the option of emigrating or being hung. The "Charitas," which sailed in 1641 for New Sweden, had four criminals in a total of thirty-two passengers, the greater number of the remainder being indentured servants or "redemptioners." In fact, Lieut.-Col. Printz was himself a disgraced man, having been court-martialed and dismissed from the army for the dishonorable and cowardly capitalization of Chemnitz, of which he was commandant, so that his appointment to the colony of New Sweden was in some sort a punishment and a banishment.

But this very reluctance of the Swedes to emigrate made them the best of immigrants. They stayed in the place to which they had been removed, and became permanent fixtures in the new soil just as they had wished to be left in the old. They were quiet, orderly, decent, with no injurious vices, and in that kindly soil and climate the natural fruitfulness of their families was greatly increased. Acrelius, noticing this prolificness, says quaintly, "Joseph Cobson, in Chester, twenty years ago, had the blessing to have his wife have twins, his cow two calves, and his ewe two lambs, all on one night in the month of March. All continued to live." And he gives several other instances of the sort. Be this as it may, the Swedes remained on the spot through all the changes of administra-

¹ See Prof. Odhner's *Founding of New Sweden*, *Pennsylvania Magazine*, vol. ii., where much new light is thrown on the obscure annals of these early settlements.

Bulle der Völker, in Royal Archives of Sweden, quoted by translator of Prof. Odhner's article in *Penna. Magazine*.

tion as if *adscripti glebæ*, and they multiplied so rapidly that when Carl Christopherson Springer wrote his letter to Postmaster Thelin at Stockholm, in 1693, only forty-five years after the first immigration, he was able to furnish "a roll of all the (Swedish) men, women and children which are found and still live in New Sweden, on the Delaware River," to the number of one hundred and eighty-eight families, nine hundred and forty-two persons. This does not include the Swedes on the other side of the Delaware, many families residing on the east bank being included in the list of "Tydable" (taxable) persons returned in the Duke of York's Court at Upland, in November, 1677.¹

¹ It is perhaps expedient to give these lists, commencing with the one forwarded by Springer to Thelin. The names which are italicized in this list are such as likewise occur in the Upland list:

Names.	Number in family.	Names.	Number in family.
Hindrick Anderson.....	5	Frederick Hoppmann.....	7
Johan Andersen.....	9	Johan Hoppmann.....	7
Johan Andersen.....	7	Nicolas Hoppmann.....	6
Johan Anderson.....	5	Hindrick Iwarsson.....	9
John Arlan.....	6	Hindrick Jacob.....	1
Johan Bagman.....	3	Matts Jacob.....	1
Anders Bengtson.....	9	Hindrick Jacobson.....	4
Bengt Bengtson.....	2	Peter Jaccow.....	9
Anders Bonde.....	11	Diedrick Johanmon.....	5
Johan Bonde.....	1	Lars Johanmon.....	6
Seen Bonde.....	5	Simon Johansson.....	10
Lars Bure.....	8	Anders Jonson.....	4
William Cobb.....	6	Jon Jonson.....	2
Christian Cassen.....	7	Moens Jonson.....	3
Jacob Clemson.....	6	Nils Jonson.....	6
Jacob Clemson.....	1	Thomas Jonson.....	1
Eic Cock.....	9	Christiern Jöransson.....	1
Gabriel Cock.....	7	Hans Jöransson.....	11
Johan Cock.....	7	Joran Jöransson.....	1
Capt. Laase Cock.....	11	Stephen Jöransson.....	5
Moens Cock.....	8	Laase Kempe.....	6
Otto Ernst Cock.....	5	Frederick König.....	6
Hindrick Collman.....	1	Martin Knutsson.....	6
Conrad Constantine.....	6	Olle Kuckow.....	6
Johan von Cullen.....	5	Hans Kyn's (widow).....	5
Otto Dahlbo.....	7	Jonas Kyn.....	8
Peter Dahlbo.....	9	Matts Kyn.....	3
Hindrick Danielsson.....	5	Nils Lalean.....	5
Thomas Dennis.....	6	And. Persson Longaker.....	7
Anders Diedrickson.....	1	Hindrick Larsson.....	6
Olle Diedrickson.....	7	Lars Larsson.....	7
Stephan Ekhorn.....	5	Lars Larsson.....	1
Eric Ericsson.....	1	Anders Lock.....	1
Göran Ericsson.....	1	Moens Lock.....	1
Matte Ericsson.....	3	Antonij Long.....	3
Hindrick Fiske.....	6	Robert Longhorn.....	4
Casper Fisk.....	10	Hans Lucasson.....	1
Matthias de Foff.....	6	Lucas Lucasson.....	1
Anders Frende.....	4	Peter Lucasson.....	1
Nils Frende's (widow).....	7	Johan Mijasson.....	5
Olle Fransson.....	7	Peter Mijasson.....	3
Eric Gåstenberg.....	7	Mårten Mårtensson, Jr.....	10
Nils Gåstenberg.....	3	Mårten Mårtensson, Sr.....	3
Eric Gåranmon.....	2	Mats Mårtensson.....	4
Brita Gåstafson.....	6	Johan Matteson.....	11
Gösta Gåstafson.....	8	Nils Matteson.....	3
Hans Gåstafson.....	7	Christopher Meyer.....	7
Jons Gåstafson.....	3	Paul Mink.....	5
Mans (Moens) Gåstafson.....	2	Eric Molica.....	8
Johan Grantrum.....	3	Anders Nilsson.....	3
Lars Halling.....	1	Jonas Nilsson.....	4
Moens Hallton.....	9	Michael Nilsson.....	11
Israel Helmi.....	5	Hans Olsson.....	5
Johan Hindersson, Jr.....	3	Johan Ömmerson.....	5
Anders Hindrickson.....	4	Lorentz Österman.....	2
David Hindrickson.....	7	Hindrick Parchen.....	4
Jacob Hindrickson.....	5	Bengt Paulsson.....	5
Johan Hindrickson.....	6	Gösta Paulsson.....	6
Johan Hindrickson.....	5	Olle Paulsson.....	9
Matta Hollsten.....	7	Peter Paulson.....	5
Anders Hamman.....	9	Lars Pehrsson.....	1
Anders Hoppmann.....	7	Olle Pehrsson.....	6

The Swedes on the Delaware have sometimes been reproached as a lazy people because they did not clear the forests at a rapid rate, nor build themselves fine houses. But this is not the charac-

Names.	Number in family.	Names.	Number in family.
Brita Peterson.....	8	Israel Stark.....	6
Carr Peterson.....	5	Matts Stark.....	1
Hans Peterson.....	7	Adam Stedham.....	3
Lars Peterson.....	1	Aamund Stedham.....	8
Paul Peterson.....	7	Benjamin Stedham.....	5
Peter Peterson.....	3	Lucas Stedham.....	7
Peter Stake (alias Peterson).....	3	Lyoft Stedham.....	9
Rewer Peterson.....	2	Johanna Stille.....	8
Anders Rambo.....	9	Johann Stillman.....	5
Gunnar Rambo.....	6	Jonas Stillman.....	4
Johan Rambo.....	6	Peter Stillman.....	4
Peter Rambo, Sr.....	2	Olle Stobey.....	3
Peter Rambo, Jr.....	6	Gunnar Svensson.....	5
Matta Repott.....	3	Johan Svensson.....	9
Nils Repott.....	3	William Talley.....	7
Olle Reas.....	5	Elias Tay.....	4
Anders Robertson.....	5	Christiana Thomas' (widow).....	6
Paul Sahlunge.....	3	Olle Thomasson.....	9
Isaac Savoy.....	7	Olle Thorsen.....	4
Johan Schrage.....	6	Hindrick Tossan.....	5
Johan Seule.....	4	Johan Tossan.....	4
Anders Seneca.....	5	Lars Tossan.....	1
Broor Seneca.....	7	Matts Tossan.....	1
Jonas Seagge's (widow).....	6	Cornelius Van der Weer.....	7
Johan Skrika.....	1	Jacob Van der Weer.....	7
Matts Skrika.....	3	Jacob Van der Weer.....	3
Hindrick Slobey.....	2	William Van der Weer.....	1
Carl Springer.....	6	Jesper Wallraven.....	7
Moens Stanke.....	1	Jonas Wallraven.....	1
Christian Stalcop.....	3	Anders Weinom.....	4
Johan Stalcop.....	6	Anders Wihler.....	4
Peter Stalcop.....	6		

II.

List of those still living who were born in Sweden :

Peter Rambo, } Fifty-four years in Anders Bonde, } New Sweden.	Antony Long.
Anders Bengtson.	Israel Helmi.
Seen Seenson.	Anders Holman.
Michael Nilsson.	Olle Dedrickson.
Moens Stanke.	Hans Peterson.
Mårten Martensson, Sr.	Hindrick Collman.
Carl Xtopher Springer.	Jons Gåstafson.
Hindrick Jacobson.	Moens Hallton.
Jacob Clemson.	Hans Olufsson.
Olof Reas.	Anders Seneca.
Hindrick Andersson.	Broor Seneca.
Hindrick Iwarsson.	Eskil Anderson.
Simon Johanson.	Matts de Voss.
Paul Mink.	Johan Hindrickson.
Olof Paulsson.	Anders Weinom.
Olof Peterson.	Stephen Jöransson.
Mårten Mårtensson, Jr.	Olle Kinkoro.
Eric Molica.	Anders Didrickson.
Nils Matteson.	Anders Mink.

Names of Taxables not included in above list.

Ole Baelson and 2 sons.....	3	Harmen Ennis.....	1
Hans Moens.....	1	Pelle Eriksson.....	1
Eric Poulsen.....	1	Benck Saling.....	1
Hans Julian.....	1	Andries Saling.....	1
Michill Fredericks.....	1	Harmen Jansen.....	1
Justa Daniels and servt.....	2	Hendrick Holman.....	1
Hendrick Jacobs (upon y ^o Island).....	1	Bertell Laersen.....	1
Andreas Swen and father.....	2	Hendrick Tade.....	1
Ole Swansen and servt.....	2	Andries Bertelson.....	1
Sven Lom.....	1	Jan Bertelsen.....	1
Ole Stille.....	1	Jan Cornelissen and son.....	2
Dunck Williams.....	1	Lace Mortensen.....	1
Tho. Jacobs.....	1	Antony Matson.....	1
Matthias Claasen.....	1	Claus Schram.....	1
Jan Claasen and 2 sons.....	3	Robert Waesle.....	1
Frank Walcker.....	1	Neole Laersen and sons.....	2
Peter Matson.....	1	Will Orian.....	1
Jan Boelson.....	1	Knoet Mortensen.....	1
Jan Shorten.....	1	Ole Coecke.....	1
Jan Justa and 2 sons.....	3	Carrell Jansen.....	1
Peter Andreas and son.....	2	Rich. Fredericks.....	1
Lace Dalbo.....	1	Jurian Hertveder.....	1
Rich ^d Duckett.....	1	Juns Justame.....	1
Mr. Jones y ^o hatter.....	1	Hans Hofman and 2 sons.....	3
		Poull Corvorn.....	1

"Hereditary surnames," says Mr. Edmund Armstrong (quoting M. A.

ter which Penn gives them, nor that to which their performances entitle them. Penn says, "They are a plain, strong, industrious people, yet have made no great progress in the culture or propagation of fruit-trees as if they desired to have enough, not a superfluity." He speaks also of their respect for authority, adding, "As they are a people proper and strong of body, so they have fine children, and almost every house full; rare to find one of them without three or four boys and as many girls; some six, seven and eight sons. And I must do them that right, I see few men more sober and industrious." In speaking of their lack of diversified husbandry, Penn forgot that their leading crop was tobacco, which, being without slaves almost entirely, they had to cultivate with their own hands. Their intelligence must have been at least equal to their loyalty, for they were more than fully represented, on the basis of comparative population, in all the early assemblies, councils and magistrates' courts, under Lovelace and Penn, and they were the only interpreters Penn could get in

Lower, on English surnames), "are said to have been unknown in Sweden before the fourteenth century. A much later date must be assigned as the period when they became permanent, for surnames were not in every case established among the Swedes in Pennsylvania until some time after the arrival of Penn, when intermarriage, and the more rigid usage of the English, compelled them to adhere to the last combination; as for example with respect to the name of *Olla Paulson*, the 'son' became permanently affixed to the name, and ceased to distinguish the degree of relationship." This, however, is not singular with the Scandinavian people, Mr. Armstrong should have observed. It has prevailed in all countries down to a late period, and especially among the English races, where the corruption of surnames is still going on. No bad spelling can do more harm than bad pronouncing, nor is it worse to turn *Lorenz*, *Laers*, *Lars* into *Laese* (just as common people nowadays pronounce *arsenal* as if it were *apell arsenal*) than to corrupt *Esterling* into *Stradling*, *Majoribanks* into *Marchbanks*, *Pierce* into *Purse*, *Taliaferro* into *Tolliver*, *Knroughly* into *Daughly*, etc. The Swedish system, however, is a little complicated, and made much more so by the loose spelling of contemporary chroniclers and clerks. Some instances of the transmutations of names may help the reader to enlighten himself about these lists. *Eric Goranson* is *Eric*, son of *Goran* (*Jöran*), and *Goran* (*Jöran*) *Ericson* is *Goran*, son of *Eric*, a grandson of *Goran*. *Peter Petersen* is *Peter*, son of *Peter*; *Swensen* was originally *Swen*. *Nilson*, or *Neelson*, may be found transposed to *Jones*, as in the case of the son of *Jonas Nilson*, styled *Morus* (*Morus*, *Mans*), *Andrew* and *Nells Jones*. Sometimes the puzzle is made worse by an *alias*,—e.g., *Jans Justasse* (*alias* *Black*), and *Pelle Laerson* (*alias* *Put Pelle*). Changes in orthography have helped materially to confound names. *Bengtsen* becomes *Bankson* and *Benson*; *Boen*, *Bonde*, becomes *Bond* and *Boon*; *Swensen* becomes *Swanson* and *Swann*; *Cock* becomes *Cook* and *Cox*; *Juceum*, or *Jookum*, becomes *Yocum*; *Kyn*, or *Kien*, becomes *Keen*; *Mortense*, *Martens*. The descendants of *Lasse Cock*, son of *Ole Cock*, may be called either *Allison* or *Willson*. Many older Scandinavian names have been still more violently changed in their orthography in the course of the trituration of centuries, or in their passage to another language more or less affiliated. Thus it is hard to detect, reading as we run, that *Ulfstein* is simply the Danish form of the Norwegian *Vulfstan*; that in English, *Harald hton Harfagra* is *Harold Fairfax*; *Rollo*, *Rolf* and *Ralph* are the same. In the lists given above, *Huling*, or *Hulling*, becomes *Fulling*; *Göstafrson* becomes *Justis*, *Justice* or *Justison*; *Kyn*, *Keen*; *Coln*, *Colen*; *Van Colen*, *Collins*; *Hammellus*, *Imille*; *Coleburg*, *Colebury*; *Dieckrickson*, *Derrickson*; *Cock*, *Kock*, etc.; *Hendrickson*, *Henderson*; *Marten*, *Morton*; *Iwarson*, *Iversen* and *Ivson*; *Jonasson*, *Jones*; *Hoppman*, *Hoffman*; *Wihler*, *Wheeler*; *Nilson* or *Neelson*, *Neilson* or *Nelson*; *Fisk* is sometimes *Fish*; *Bure*, *Buren* or *Burns*; *Collman*, *Coleman*; *Broor*, *Brewer*; *Anders*, *Andrews*; *Matt*, *Matthews*; *De Voss*, *Vose*; *Marte*, *Martin*; *Stanke*, *Stark* and *Stack*; *Rome*, *Rosser*; *Vander Weer*, *Vandiver*; *Pelurson*, *Pieron* and *Pearson*; *Paulsson*, *Poulson*; *Paul*, *Powell*; *Olle*, *Will*, *William*; *Sahlung*, *Saling*; *Rame*, *Raese*, *Raisn*; *Brifta*, *Bridget*; *Gustaf*, *Gustavus*; *Knute*, *Knott*; *Lucasson*, *Lucas*; *Incoron*, *Inkborn*; *Ommerson*, *Emerson*; *Grantrum*, *Grantham*; *Glaassen*, *Clawson*; *Cabb*, *Cobb*; *Oelson*, *Wilson*, etc. *Lars* and *Laer*, become *Lear*; *Laerson*, *Lawson*; *Goron*, *Jöran*, *Jurien* and *Julian*; *Bengt* is *Benedict*, or *Benjamin*, or *Bennett*; *Halling* is *Hewlings*; *Senecka* is *Sinnickson*; *Voorhees*, *Ferria*.

his intercourse with the Indians. They were not devoid, moreover, of what would nowadays be esteemed remarkable industrial enterprise. There can be no doubt that the Swedes—probably those "wandering Finns" from the Swedish iron ore regions—discovered and worked the ore-banks of Cecil and Harford Counties, Md., long before George Talbot's manor of Susquehanna was patented or Principio Furnace thought of. The mill afterwards used by Talbot, and to which his tenants were compelled to bring their corn to be ground was originally started by the Swedes to drive a rude bellows blast of their own.

The Swedes, as emigrants from an exceedingly well-watered country, cut up in every direction by bays, sounds, rivers, lakes and fiords, naturally followed the water-courses in the new country. They found a homelike something in the network of streams back of Tinnecum Island and thence to the Schuylkill, and in the rivers and meadows about Christiana Creek and the Brandywine. They clung to those localities tenaciously, and the only thing in Penn's government which roused their resentment and threatened to shake their loyalty was the attempted interference with their titles to these lands and the actual reduction of their holdings by the proprietary and his agents. It is a fact that some of their tenures were very uncertain and precarious in the eyes of plain and definite English law, and probably the Quakers took advantage of this to acquire escheat titles to many very desirable pieces of land which the Swedes fancied to be indisputably their own. The purchasers of New Sweden from the Indians had vested the title to the entire tract bought in the Swedish crown, and this right of property was recognized and exercised by the crown. Two land grants from Queen Christina are on record in Upland Court, one to Lieut. Swen Schute, and Printz several times solicited a grant to himself, which he finally obtained, giving the property to his daughter Armgart, Pappagoya's wife. The other land-holders secured their tracts in accordance with the fifth article of the Queen's instructions to the "noble and well-born John Printz." In this article, after describing the bounds of the territory of New Sweden, and the terms of the contract under which it was acquired from "the wild inhabitants of the country, its rightful lords," it is laid down that this tract or district of country extends in length about thirty German miles, but in breadth and into the interior it is, in and by the contract, conditioned that "her Royal Majesty's subjects and the participants in this Company of navigators may hereafter occupy as much land as they may desire." The land thus bought in a single block and attached to the crown was originally managed by the Swedish West India Company. The revenue and public expenses were paid out of an excise on tobacco,

and it was the interest of the company to have tobacco planted largely. In part this was accomplished by servants indentured to the company, who were sent over and paid regular wages by the month.¹

In part the land was regularly conveyed to settlers who sought to better their fortunes; finally, criminals and malefactors were sent out to some extent at first to labor in chain-gangs upon the roads and public works. The land secured by settlers and servants who had worked out their term of years was granted in fee under grants which came directly or indirectly from the crown. The difficulties about title, which vexed the Swedes, grew out of the changes in the tenure under the Swedish, Dutch, English, and later under Penn's grants, all of them having peculiar features of their own. It is important to understand these differences, which have not been clearly explained by writers on the subject, some of whom have hastily concluded that the land tenure system in Pennsylvania originated with Penn's laws. So far as land is concerned, Penn's "great law" and the subsequent enactments were all founded upon the "Duke of York's laws," the titles under which Penn was particular to quiet and secure.²

¹ Måns Kling, lieutenant and surveyor, received forty riksdaler per month; he commanded on the Schuytkill. Sundry adventurers, seeking experience, received free passage out and maintenance, but no pay. Olof Persson Stille, millwright, received at start fifty daler, and to be paid for whatever work he did for the company. Matts Hansson, gunner at the fort and tobacco grower, on wages; Anders Hansson, servant of the company, to cultivate tobacco, received twenty riksdaler per year and a coat; he served four years. Carl Jansson, book-keeper, sent with the expedition "for punishment," was afterwards favored by Printz, who gave him charge of the storhouse at Tinneum, paid him ten riksdaler a month wages and recommended the home government to pardon him. Peter Larsson Cock, father of Lasse Cock, came out originally for punishment (*slagsfångener knecht*, a bond servant), receiving his food and clothing and two dollars at the start. He was free in four years, and became, afterwards, a judge of Upland Court. These indentured servants were not badly treated, either by the Swedes or the Friends. Their usual term of service was four years, and they received a grant of land—generally fifty acres—at the expiration of the term. The system was originally contrived in Maryland, in order to increase the labor of the province, and many of the "redemptioners" were persons of good character, but without means, who sold their services for four or five years in order to secure a passage across the ocean to the new land of promise. A great many redemptioners went to Pennsylvania during Penn's régime and afterwards, both from Great Britain and the continent of Europe. The terms upon which they were hired to the different colonies were nearly the same in every case. The following is about the form commonly used. It may be found in John Gilmary Shea's introduction to Gowan's reprint of Alsop's "Character of the Province of Maryland," London, 1696: "The Forme of Binding a Servant. This indenture, made the — day of —, in the — years of our Sovereigne Lord King Charles &c between — of the one party and — of the other party, Witneseth that the said — doth hereby covenant, promise and grant to and with the said — his Executors and Assigns, to serve him from the day of the date hereof, until his first and next arrivall in — and after, for and during the terme of — yeares, in such service and employment as the said — or his assignes shall there employ him, according to the custome of the countrey in the like kind. In consideration whereof, the said — doth promise and grant, to and with the said — to pay for his passage and to find him with Meate, Drinke, Apparell and Lodging, with other necessaries during the said terme; and at the end of the said terme, to give him one whole yeares provision of Corne and fifty acres of Land, according to the order of the countrey. In witness whereof, the said — hath hereunto put his hand and seale the day and yeere above written.

"Sealed and delivered }
in the presence of }



² Penn, in fact, borrowed many other things from the duke's laws,

A transcript of the first grant of land within the limits of the State of Delaware appears in the "York Records" in the recorder's office at Dover, with a translation in English accompanying it. It was granted in 1646 by William Kieft, Director-General of the West India Company, at New Amsterdam, and bears only the date of the year and says: "We, on the day and date underwritten, have permitted and allowed Abraham Planck, Simon Root, Jan Andriessen and Peter Harmensen to settle on the South River of New Netherland and take possession of the lands lying on the said South River almost opposite to the small island called *S'Vogele Lant* or *Bird Land*, of which lands they are permitted to appropriate to themselves one hundred morgen and to erect thereon four farms or plantations and to cultivate the same within a year from the date, or sooner, if possible, under penalty of forfeiting this their right," with the privilege of securing other lands by settlement.³

When the Swedes were conquered by the Dutch, in 1655, the articles of capitulation gave the Swedes who desired to leave one year and six weeks in which to dispose of their immovable property, subject, however, to the oath of allegiance. It was further provided that such of the Swedes or Finns who did not desire to go with Governor Risingh, and remained voluntarily, should "have the privileges of the Augsburg Confession and have a person to instruct them therein."⁴

Those who accepted these terms and took the oath of allegiance were:

Jan Eckhoff, Constantius Groenenburgh, Harmon

Janz, Jan  Schoffel, Klaess

Thomassen, Limen Stidden, Lucas 

 Petersen, Thoomas

 Bruyn, Wil-

liam Morris, Gostaffsen Anies.

Mark of  Baernt Jonsen.


particularly the much admired provision for "peacemakers," or arbitrators, to prevent litigation, which provision, by the way, became a dead brass letter within ten years after its enactment, and was dropped in Lieutenant-Governor Markham's Act of Settlement in 1696. This was much more actively enforced in the duke's laws, which provide that "all actions of Debt or Trespass under the value of five pounds between Neighbours shall be put to Arbitration of two indifferent persons of the Neighbourhood, to be nominated by the Constable of the place; And if either or both parties shall refuse (upon any pretence) their Arbitration, Then the next Justice of the peace, upon notice thereof by the Constable, shall choose three other indifferent persons, who are to meet at the Dissenter's charge from the first Arbitration, and both Plaintiff and Defendant are to be concluded by the award of the persons so chosen by the justice."

³ The island referred to is now known as Reedy Island. The land does not appear to have been invested by the persons named. The name of Jan Andriessen is thought to be that of Jan Andriessen Staleop, who owned the site of Wilmington, and is mentioned specially as on "the bounds of Christina towns" in a patent of October 1, 1669.


⁴ There is no evidence of any land-titles having been granted while the territory was subject to the Swedes.


Mark of  Oloff Franien.

Mark of  Andries Jonsen.

Mark of  Jon Justen.

Mark of  Mathys Esselse.

Mark of  Moens Andriessen.

Mark of  Marten Martense.

Mark of  Lambert Michaelsen.

Mark of  Samuel Petersen.

Of the above, the names of Janz, Jonsen, Stid-den, Petersen, Justen, Groenenburgh and Andries-sen were identified for many years with the history of the State, and some are still extant.

When the Dutch settled at Fort Casimir a vil-lage was ordered laid out in the rear of it and lots were given by the Vice-Director to those who desired them. The Swedes were ordered to colonize in villages, but they objected and were permitted to remain undisturbed pending the year and six weeks granted them in the articles of capitulation.

At the expiration of that period, on August 14, 1656, Gregorius Van Dyck, deputy-sheriff, was sent as commissary to the Swedes to colonize them in villages or require their removal. June 12, 1657, the Swedes were directed to concentrate at Upland, Passyonk, Finland, Kinghsessing on the "Verdrietige Hoeck," or at some other place after notification to the Director-General and the Council.¹

In 1656 and 1657 the Dutch granted a few warrants and patents to Swedes, and many others resided on non-warranted lands. Among the Swedes who held warrants under the Dutch were Constantius Groenenburg, in 1656; Claes Petersen, Barent Jansen, Pieter Harmence, Peter Laurence, Cornelis Steinwyck, Louder Leendersen, Jan Eckhoff, Jan St. Gaggen and Peter Laurensen, in 1657.

When the English took possession, in 1663, all

persons holding land without titles were ordered to obtain them, but the order was disregarded and was again made the subject of official instructions by Col. Richard Nicholls in 1669 and by the Governor and Council in 1671. In the latter year patents were issued, among others, to Captain Carr and Mr. Wharton. Warrants for survey were issued by Col. Nicholls, Francis Lovelace and Sir Edward Andross, as Governors of the province, the latter, in 1676, limiting the holding to fifty acres *per capita*. In 1678 the court directs attention to the fact that very few persons have had their land recorded. In the latter part of this year the Gov-ernor officially announced that lands having been taken up and not settled upon nor improved, the same must be recorded and settled upon in six months or be forfeited. In 1680 the New Castle court made a similiar announcement. Several months later the inhabitants of Croine Hook peti-tioned the Governor to confirm the original Dutch grants held by them. In 1683 William Penn gave public notice that all lands granted during the two preceding years must be settled in twelve months or forfeited. He also gave two years for the pay-ment of quit-rents and established future quit-rents on a basis of one bushel of wheat for each hundred acres as before. From this time until Delaware became a State, warrants for surveys and patents were granted by the proprietors or by the commis-sioner of the Land Office.

The Swedes, both under Minuit's and later in-structions, were allowed to take up as much land as they could cultivate, avoiding land already improved and that reserved for the purposes of the Swedish West India Company. This land, so taken up, was to remain to the possessors and their de-scendants "as allodial and hereditary property," including all appurtenances and privileges, as "fruit of the surface, minerals, springs, rivers, woods, forests, fish, chase, even of birds, the establishments upon water, windmills, and every advantage which they shall find established or may establish." The only conditions were allegiance to the Swedish crown and a payment of three florins per annum *per family*.² This form of quit-rent per family gave something of a communal aspect to the Swedish tenures, and it was probably the case that but few tracts were definitely bounded and surveyed in the earlier days of the settlement. Governor Printz received no special instructions in regard to land grants further than to encourage agriculture and to use his discretion in all matters, guided by the laws, customs and usages of Sweden. We may suppose he followed the colonial system which was already in operation. Governor Risingh's in-structions from the Swedish General College of Commerce required him to give the same title and possession to those who purchased land from the

¹ Of these localities, Verdrietige Hoeck or Vertrecht Hook only was in Delaware. It was the first fast land on the Delaware River above the mouth of Christiana Creek, and is now known as Edgemoor. There were many families settled along the shore on narrow lots, extending some distance back into the woods, with the houses at the river-front. The Swedes made other settlements along the shore—one above Vertrecht, known as the Boght or Bought; Swanwyck, adjoining New Cas-tle; and Croine Hook, further up.

² See grant to Henry Hockhammer, etc., Hazard's "Annals," I, 53.

savages as to those who bought from the company, with all allodial privileges and franchises, "but no one to enter into possession but by consent of the government, so that no one be deprived improperly of what he already possesses." The Swedish tenure, therefore, was by grant from the crown, through the Governor, the quit-rent being commuted into a capitation tax, payable annually by heads of families, the only limits to tracts granted being that they do not trespass on other holdings and are cultivated. After the conquest of New Sweden by the Dutch the Swedes were ordered to come in, take the oath of allegiance, and have their land titles renewed. The Dutch were very liberal in their grants, especially under D'Hinoyossa, but the tenure of lands was entirely changed, and a quit-rent was now required to be paid of 12 stivers per morgen, equal to 3.6 cents per acre.¹ This was a high rent, in comparison with that which the Swedes had been paying, and with the rents charged by the English. Besides, the land had to be surveyed, and the cost of survey, record and deeds for a tract of 200 or 300 acres was 500 or 600 pounds of tobacco. Many Swedes were unwilling, some perhaps unable, to pay these fees and rents; some abandoned their lands entirely, some sold, and many paid no heed to the mandate, thus in fact converting themselves into squatters.

After the English took possession new oaths of allegiance and new confirmations of title were required. Andross and Lovelace made patents very freely, doing all they could to promote and extend the settlements, but the Duke of York's laws exacted a quit-rent of one bushel of wheat per one hundred acres. Wheat, as we find by the Upland record, was taken for taxes (and of course for rent likewise) at the rate of "five guilders per scipple,"—five guilders per *schepel* or bushel, thirty pence sterling, or sixty cents, or thirty pence Pennsylvania currency, equal to forty-four and one-fifth cents,—a rent, therefore, of three-fifths or two-fifths of a cent per acre. Under Penn the regular quit-rents were a penny per acre, the conveyancing costing fourteen to eighteen shillings per plat, and the surveying and registering as much more, say thirty shillings, or seven dollars and fifty cents, initial payment, and two dollars annual payment per one hundred acres. This was in addition to the local tax for county and court expenses, amounting to thirty-five or forty guilders per tydable,—four dollars and fifty cents per family or per freeman—and an occasional "war-tax" of a penny in the pound on a valuation which, in 1694,

reached £182,000 currency. There is no wonder that the Swedes, who had under their own rules paid only a nominal rent, should have shrunk in fright at these heavy charges and either given up their land or neglected to take out deeds for it, and thus lost possession of it entirely under Penn's severe law of 1707. As Acrelius says in his general statement of these changes of tenure:

"Under the Swedish government no deeds were given for the land; at least there are no signs of any, excepting those which were given as briefs by Queen Christina.² The Hollanders, indeed, made out quite a mass of deeds in 1656, but most of them were upon building lots at Sandhook. Meanwhile, no rents were imposed. The land was uncultivated, the inhabitants lazy, so that the income was scarcely more than was necessary for their sustenance. But when the English administration came, all were summoned to take out new deeds for their land in New York. . . . A part took the deeds; but others did not trouble themselves about them, but only agreed with the Indians for a piece of land for which they gave a gun, a kettle, a fur coat or the like, and they sold them again to others for the same, for the land was superabundant, the inhabitants few and the government not strict. . . . Many who took deeds upon large tracts of land were in great distress about their rents, which, however, were very light if people cultivated the lands, but heavy enough when they made no use of them; and they therefore transferred the greater part of them to others, which their descendants now lament."³

The history of taxation in Delaware dates to the administration of Jean Paul Jacquet, who was appointed Vice-Director on South River, Nov. 29, 1655. In the provisional instructions to him, "in order to prevent immoderate desire for land," he was directed to exact from each morgen of land twelve stivers annually. William Beekman, in a letter to Director Stuyvesant, January 14, 1660, presented a proposition of the sheriff and commissary for the taxation of every Swedish family for defraying court expenses. The expenses of the court, however, were paid by quit-rents and customs until 1676, when Governor Andross reorganized the courts and the magistrates asked for instructions in reference to public charges. In reply, the Governor, Nov. 26, 1676, authorized a levy of one penny in the pound on the real estate "in New Castle, up the river and in the bay." To this the magistrates, on Feb. 6, 1677, demurred, and requested permission to make the levy "by the pole," as in Maryland and Virginia, which was accorded April 6, 1677. In September, the constables were instructed to make lists of all persons liable to taxation.⁴ Samuel Land was constable of New Castle District; Walter Rowles of Oppenquomen; Charles Rumsey of Cristeen. In November, 1677, the court met at New Castle, and laid a levy of twelve guilders and ten stivers for every person, to be paid in "Wheat at 5 guilders, Rye att 4 guilders, Barley att 4 guilders per schipple, Indian Corne att 3 guilders per schipple, Tobbacco att 8 styvers per lb; Porke att 8 and Bacon att 16 styvers p lb; or Ells In Zewant or Skins att Pryce Courrant," and in-

¹ Writers have caused confusion in this matter by computing the stiver at 2 cents, and the guilder at 40 cents. The actual value of the stiver, as settled by the Upland court at this time, was three-tenths of a penny, the guilder thus being worth 6 pence. In sterling values, therefore, the rent of an acre would have been 3.6 cents. In Pennsylvania currency, which, perhaps, was the standard used in the Upland calculations, the rent would be 2.21 cents per acre.

² No deeds are found because the Dutch destroyed the Swedish local records, and they and the English required all deeds in the hands of Swedes to be surrendered in exchange for new deeds under the new government seal.

³ Acrelius, *Hist. New Sweden*, pp. 106-7. Penna. Hist. Society's edition, 1874.

⁴ All persons between the ages of sixteen and sixty were made liable to taxation.

structed Captain Cantwell, high sheriff, to collect a list of taxables by March 25, 1678. The list as returned under these instructions was as follows:

Oppo- sition- men.	James Viccory.	Justa Andries.
	Will Courer.	Rich Jefferson.
Att Oppo- sition- men.	George Courer.	Evert Alders.
	John Horion.	John Mothyma.
	three negroes	Will seuple.
	Joseph Holding.	Will hamilton.
	John Foster.	James Wolliam.
	Tho. Linke.	Guybert Dirk.
	John Anter.	Hendik Williams and Sibrant
	Roelof Andries.	his man.
	Jan Wekr.	huybert hendrix.
	Adam Peterson.	Kyneer V Collen.
	John Sierex.	Ambruse Backer.
	James Att Jo Sierex.	Gerrit Smith & son.
	Jurion Sierex.	Thos Spry.
	Rut Hudle.	Phil Huggon.
	Jo Waker, Senior.	Humphry Clitty.
	John Taylor.	Jan hulk.
	Will Sherrer.	Peter maeslander.
	Jan Peterson.	huybert Laurens.
	Thos Saddler.	Peter Volckerta.
	John Arionson.	Chas Andries.
	Jacob his mate.	Olle Toersen.
	Peter Brink.	Lymen Eskell.
	Hendrick Walraven.	Patrick Carr.
	Dirk Laurens.	Peter Mathias.
	Dirk Williams.	Hendrik Sibrants.
	Edward & James Williams.	John Sibrants.
	Corporus Herman.	Sybrant Jans.
	Philip Chevalier.	hendrik fronsen.
	William Pattison.	Jan Carentae.
	The doctor.	humphry Nicolle.
	John Peers.	Peter de Witt.
	Will Peers.	Cornelis Jansen.
	Thos Gilbert.	Evert hendrix.
	Edward Twendall.	Tymen Jonsen.
	Hans Muller.	John Mattison.
	Will Grant.	Hendrix Everts.
	Thos Snelling.	Lace Andries.
	John Whyte.	Hendrix Lemmens.
	Rob Morton.	Will Scott.
	John Street.	hendrik Andries.
	Robt Tallent.	Andries Andriesse.
	Albert Bleg.	Monna Poulson.
	John Barker.	Hoffel Michill Myer.
	John Allway.	Peter, Jan & Paul Jacquet.
	Morris Liston.	Peter Chasse & two sons.
	Henry Clerg.	Peter Chasse's boy.
	Thos Jamba.	Jurion Boatman & son.
	2 serv'ts of Morris Liston.	Andries Sinnex.
	John Wallis & 1 servant.	Mathias trutt.
	James Crawford & 1 servant.	Leger Aukes.
	Augustin Dike.	Peter Slobe.
	Rich'd Scroggs.	Powell Loarson.
	John Scott.	Martin Gerritz & his son.
	Jacob Young.	John Arskan & son.
	3 slaves & 1 servant.	John Ogle.
	Evan Sallabury.	Thos harria.
	John Road.	John Ogle's servant.
	Joseph Cooxen.	Jan Gerritz.
	Rob. homea.	George Moore.
	John huyles.	Will Jencox.
	Robb Whyte.	Andries Tille.
	Thomas daulta.	John Watkins.
	Joseph hand.	Thos Jacobs & three sons.
	Joseph Burnham.	—bert Jansen.
	1 negro woman of Mr. Moll.	John Nimmerson.
	William Currer.	Olle Poulson & his Brother.
	James Crawford (also) Doctor.	Swart Jacobs & 2 sons.
	Anthony Bryant.	harmen Jansen.
	Moth Beekman.	Will Raynboe.
	John Adams.	Wolraven Jansen.
	Elligert, the Smith.	Guybert Wolraven.
	Peter, Mr. Alrichs man.	— Sinnex.
	John Eaton Taylor.	Jurion Jurrone.
	1 negr of M. Aldrich.	Jan Sinnex.
	Harmonus Wesela.	Mathias Mathlame.
	John Karr.	Jan Andries.
	Henry Stanbrooke.	Will Sanford.
	John hendrix.	Charles ye friedman.
	Beerr, his man.	Sam Peters & son.
	Ralph Hutchinson.	Lace Waymon.
	Robt Hutchinson, his cooper.	Tymen Sliddam & 4 sons.
	Mr. Dunstan.	John Andries & 2 sons.

John Mathewa.
Moth de Ring.
Engelbert Lott.
Cornelius Post.
Isaacq Tayne.
John Bisk.
John Harmsen & his man.
Symon Gibson & his man.
Will Osborne.
Jan Boyer.
Chas Daniell.
Joh de hoen.
Mones de gan.
Job Nettleship.
Rodger Measur.
Will Still.

Jacob V. Veer & 2 sons.
hans Peters.
Peter hendrix.
Justa Poulson.
Juns ye Smith.
Peter Jagon.
hindrix nealeon.
Jacob & Olle Clemmens.
Hendrik Claassen.
Lace Olsen.
Carell Peterson.
Xtopher Barnds & 1 serv't.
Barretn Gerritze.
Markins Laurius.
Molles Neelson.
Olle fronsen & Son.

Total, 243.

Eastern Shore.

Jan hendrix.
David & Peter hendrix.
Isaacq Sanoy.
Mathias Neelson & man.
Masa Matsen.
Peter Roelofs & son.
Lucas Peters & son.
Jan Edix.
Paul Minck.
Jan hermsen Krull.
Mr outhout's 2 servants.
Will Gilsamsen.
Chas Jansen.
Mach Laarso, Senior.
Mach Laarso.
Jan Lacrooy.
Aert Jansen.
Stephen Juriana.
Lace hendriks.
Math Bertelson.
Erik Jurians & servant.
John Singell.
John Cornelius.
Mach Baron & 2 sons.

Thos Arnold.
Gerrit V Jimmen.
Joh V Jimmen.
Jolles Gilsamsen.
hans Schier.
John pledger.
hipolet Lafer & servant.
John Smith.
Sam Nicolla.
Sam hedge & negr.
Rodger tuggings.
Edw Chamnies & Serv't.
Anthony Padge.
Will Goodchild.
Will Wilkieson.
Will Moester's man.
John fuller.
Markus Ellegart.
Rich Guy & 3 servants.
Thom Watson.
Thom Dodwell & servant.
John Smith.
Abram Eulaua.
John Nicola.

Total, 307.

Neither the magistrates nor officials were taxed, although their servants were included in the list.

Out of a list of 108 taxables in New Castle constabulary in 1683, 43 were owners of land outside of the town.¹ Of these, the largest were Peter Alrichs and Captain Markham, each of whom had 1000 acres. The estate of the former was probably on the Christiana and Delaware north of Croine Hook; that of Captain Markham was north and west of New Castle. Charles Rumsey and John Watkins had 640 acres each on the Christiana between Swart Nutter Island (now Nonsuch) and Fern Hook, opposite Wilmington; John William Neering, 500 acres; John Ogle, 400 acres; Mary Block, widow of Hans Block, 350 acres above New Castle; John Moll, 300 acres near Swanwyck; John Darby, 300 acres (Swart Nutter Island); Thomas Spry, physician and attorney, 300 acres; William Haigh, a member of Penn's Council, 400 acres; John Jacquet, son of Jean Paul Jacquet, 280 acres; on Long Hook; Edmund Cantwell, high sheriff, 100 acres; Arnoldus De Lagrange, 300 acres. Fifteen of the land-owners also owned lots in New Castle, and William Penn also held one lot. Among the lot-owners were John Moll, Arnoldus De Lagrange, John Conn and Johannes de Haes, magistrates; Wm. Welch, who subsequently succeeded John Moll on the bench; Ephraim Herman, ex-

¹ This was prior to the division into hundreds.

clerk of court; Dominie Tessemaker, the preacher; Emelius de Ringt, former reader in the church and schoolmaster; and Dr. Gerardus Wessels.

North Christiana Creek constabulary had sixty-five taxables. Of these, John Ogle and Valentine Hollingsworth¹ each owned 1000 acres; Morgan Druitt, 500 acres, in the "Bought" on the Delaware; Thomas Wallaceton, deputy sheriff from 1673 to 1679, 370 acres, on White Clay Creek and 100 on Mill Creek; Conrad Constantine, 560 acres, on which Newport was located; Jacob Vandever, 500 acres, on Brandywine Creek, opposite Wilmington; John Nommers, in Mill Creek Hundred, on White Clay Creek, three-quarters of a mile above its mouth; John Conn, 500 acres, on White Clay Creek in Mill Creek Hundred; Arnoldus De Lagrange, 1150 acres, of which a portion was in Christiana Hundred, where he resided; Broor Sinnexsen, 770 acres, 400 of which adjoined the estate of De Lagrange, in Christiana Hundred, where he lived; Abraham Mann, 570 acres on Bread and Cheese Island and west of Red Clay Creek, where he resided (he was justice of the peace two years, and was chosen sheriff in 1683); John Moll, president of the court from 1672 to 1683, 210 acres, in Mill Creek Hundred, above Bread and Cheese Island; Joseph Borne, 350 acres adjoining Moll's.

In the constabulary on the north side of Duck Creek there were forty-seven taxables, of whom Henry Williams, magistrate, owned 400 acres; Ephraim Herman, 1200 acres; Peter Bayard, 600 acres and also Bombay Hook; Captain Edward Cantwell, 4285 acres, a portion of which was at Cantwell's Bridge (now Odessa) where he lived; Morris Liston, 750 acres at a place still known as Liston's Point.

The constabulary from St. George's Creek to the north side of Oppaquenomen had fifty taxables. Among them Casparus Herman, 400 acres; Henry Williams, magistrate, 250 acres; Gerret Otts magistrate, 452 acres; Peter Alrich, 400 acres, at St. Augustine's Landing; Gabriel Rappe, 1000 acres, Henry Vandeburg, 1000 acres.

Following is a list of taxables in the constabulary of New Castle in 1687:

John Gibbs, Jacob Clawson, Jacob Jacquet, Robert Hutchinson, Peter Jacquet, Abraham Haym, John White, Widdow Simmons, Adam Hays, James Williamson Spry, Mathias Lawson, Mary Bloq, Edward Land, Daniel Smith, Isaac Stover, John Lemington, Hendrick Anderson, Hendrick Williams, Dorcas Land, John Gorsok, James Walliam, Charles Rumney, Hendrick Everton, John Biscus, Pawoll Lawson, Lyblion Johnson, Josyne Hamilton, John Richardson, John Sybrance, Richard Hallywell, Arnoldus De Lagrange, Widdow Priestnor, John Williams, Urian Bowson, James Halleday, John Bower, Johannus de Haes, Mathias de Ring, Jacob Cornelissen, Mathias Vanderheyden, Dominic Testemaker, John Hales, Hendrick Vanderburgh, Englebert Lott, Thomas Longshan, John Hormensen, Sarah Welsh, Leonard the Glazier, Ephraim

¹ Valentine Hollingsworth came to this country prior to the arrival of William Penn and returned to Ireland soon after 1685. His three sons, Valentine, Henry and Thomas, came over in the "Welcome" in 1682 and in 1687, and subsequently owned large tracts in Brandywine Hundred. Henry represented New Castle in the General Assembly in 1695 and filled other offices of importance in Pennsylvania. He was the founder of the family in Delaware and Maryland.

Horman, John Cann, John Burgrend, Emelius de Ring, Garrett Johnson, Simon and John Cock, Isaac Tine, Widdow Moudy, Thomas De Witt Claes, Edward Boulton, John Smith, Anderson Rand Hauke, Robert Dyer, Claes Daniell, Ambrose Baker, Edward Blake, Moses De Gam, John Dan Hybert, Justa Anderson, John Forest, Laurene Rich Otto, John Hendrickson, John Moll, Peter Goodlin, Peter Alrich, Reyner Vandercoelen, John Darby, Antony Bryant, William Markham, Matt. Ereckson, Matt. Coulson, James Bradshaw, James Claypoole, William Chambers, Zachariah Vandercoolen, Joseph Clayton, Widdow Moorey, Richard Noble.

Taxables on the north side of Brandywine Creek:

Jacob Vanderveer, Cornelius Vanderveer, Mouna Justy, Cornelius Emjson, Jonas Scogging, Hans Petersen, Jacob Clemens, Peter Andersen, John Mouna, Peter Mouna, Thomas J. nes, ——— Stoffell, Neils Neilson, Peter Bainton, Morgan Druitt, Mathew Sanders, Thomas Golping, John Grubb, William Stockdale, John Buckley, Oliver Coope, John Crow, William Cloud, Jeremiah Cloud, Edward Eglington, Isaac Warner, Valentine Hollingsworth, Henry Hollingsworth, Thomas Conway, William Lester, Adam Sharpley, Thomas Clifton, William Hanly, Richard Beachem.

Taxables on the north side of Christiana Creek:

William Guest, William Gossop, Christopher White, Wella Thomas, Aron Johnson, Israel Helm, Broor Sinnexsen, Christian Virionson, Guyalbert Walraven, Arnoldus de Lagrange, Charles Pickering, Benjamin Stidham, Jacob Hendrickson, Mathias De Voe, Sam'l Peterson, Christian Stollcop, Robert Robinson, Richard Robinson, Erasmus Stidham, Lucas Stidham, William Gregg, John Gregg, Henry flourins, Joseph Cookson, Jousas Arskin, Andrew Tilly, Elizabeth Ogle, Hugh Marlander, James Claypoole, John Brewster, John Omerson, James Reed, Henry Dull, John Alloway, Thomas Longshaw, Bryan McDowall, Giles Barrett, Thomas Pierson, John Smith, Thomas Wellarson, Joseph Barnes, Henry, Paul and Jacob Garrettson, William Rakestraw, John Cann, Abraham Mann, William Mann, Andrew Stolcop, Thomas Gillet, Neiles Lawson, Thomas Grand, Henry Jacobson, George Hogg, Sr., Thomas Mathews, John Callott, George Hogg, Jr., William and John Rawlings, Zachariah Patrick, Francis Smith, Sr., Francis Smith, Jr., Anthony Burgis, David Sharpley, Oliver Taylor, Nathaniel Cantwell, James Standfield, John Bradshaw, William Osborn, John Couch, John Huns, Peter Stolcop, Philip Davis, Nicholas Dan, Thomas Green & Company, John Mocomb, William Stockdale, Synon Cock, George Haveland.

Taxables on north side of St. George's Creek:

Hendrick Vandenburg, Peter Wellaston, John Moll, Hans Hanson, John Darby, Mathias Vanderhayden, John Hayley, Jacob Young (in all only 3200 acres).

Taxables on the north side of Oppaquenomen:

Roelof Anderson, George Baker, Alexander Cammel, Ephraim Hermon, Johannes de Haes, Robert Hutchinson, Adam Peterson, John Boulton, John and Ryly Webster, Nicholas Dallet, James Brookes, John Walker, William Phillips, William Burrows, Richard Hamlett, Hans Hanson, Richard Haddon, Otto Otto, John Otto, Hendrick Vandenburg, Thomas Salloway, Peter Johnson, Edmund Perkins, Edward Green, Sr., Gabriell Rappe, Peter Andries, Francis Richardson, Richard Noble, Widdow Anderson, Hendrick Walraven, John Hayly, Hybert Laurence, Casparus Herman, Samuel Ridding, John Cole, John Lawrie, William Grant, Edmund Lindsey, Thomas Laus, John Sines, Amos Nicholls, John Willson, Ellis Humphreys, Peter Alrichs, Jacob Decon, Robert Ashton, Doctor Staples, Edward Gibbs, Hendrick Vandenburg, Cornelius Emjson, John Pearson, William Scarwe, Daniel Smith.

Taxables of north side of "Duck Creek hundred":

Richard Hallywell, John Mackarty, Robert Moreton, Justa Anderson, William Grant, Henricus Williams, Basilia Osborn, Robert Money, James Sticks, Walter Smith, Lucas Michall, John Hartop's children, Thomas Snelling, Isaac Weeldon, An. Westingdale, Thomas Golping, Benjamin Gimpley, Joseph Harris, Francis Cook, Owen Hawks, Morris Liston, Ephraim Herman, Joseph Hallman, Joseph Houlding, John Taylor, Georg Taylor, Andrew Loue, Thomas Harrison, Richard Mitchell, Exec, Edward Gibbs, Richard Quince, Francis Johnson, Michall Offley, Sybrant Valk, William Hatten, Antony Tomkings, Edward Owen, Robert Courtney, Thomas Harris, William Osborn, Lewis Owen, Peter Byard, Francis Letta, John Harris, Henry Bevins, Richard White.²

Aerelius is not just to his fellow-countrymen in calling them idle. They were timid, and they lacked enterprise to enable them to grapple with the possibilities of the situation. They were simple

² At this time (1687) the territory of Hoere-Kil, or Whore Kill, was very sparsely settled and was not districted.

peasants of a primitive race and a secluded country, thrown in among people of the two most energetic commercial and mercantile nations the world has ever seen. They were among strangers, who spoke strange tongues and had ways such as the Swedes could not understand. It is no wonder that they should have shrunk back, bewildered, and contented themselves with small farms in retired neighborhoods. But these small farms, after the Swedes settled down upon them, were well and laboriously tilled, and, small though they were, we have the acknowledgment of the Swedes themselves that they yielded a comfortable support, with a goodly surplus each year besides to those large and rapidly increasing families which attracted William Penn's attention and commanded his admiration.

The husbandry of the Swedes was homely, but it was thorough. The soil which they chiefly tilled was light and kindly. In the bottoms, swamps, and marshes along the streams, which the Swedes knew quite as well as the Dutch how to dyke and convert into meadows,—the Brandywine meadows are to this day famous as examples of reclaimed lands,—the soil was deep, rich and very productive. The earlier Swedes did not sow the cultivated grasses on these meadows; they simply dyked them and mowed the natural grass, planting corn and tobacco, and sowing wheat wherever it was dry enough. Acrelius speaks of the high price which these lands brought in his time—"six hundred dollars copper coin [sixty dollars] per acre"—when thoroughly ditched and reclaimed, though constantly liable to inundations from the tunneling of the muskrat and the crayfish. The Upland soils were excellently adapted to corn, wheat and tobacco when they had been cleared. The forest growth on these soils comprised the several varieties of American oak familiar in the Middle States, the black-walnut, chestnut, hickory, poplar (tulip-tree), sassafras, cedar, maple, the gums, locust, dogwood, wild cherry, persimmon, button-wood, spice-wood, pine, alder, hazel, etc. The forests gave the Swedes much trouble, and undoubtedly had an influence upon the modes of cultivation employed. The cost of labor made it difficult to clear the thick woods.¹

¹ Wages are always interesting to study, for their averages are evidences which cannot be contradicted of the condition of a people. The earlier servants in the employment of the Swedish company received, as a rule, twenty copper dollars (two dollars of our money) for outfit, and twenty riksdaler wages per annum (equal to twelve dollars). The wages of freemen, however, were more than double this, and these wages moreover included board and lodgings. With wheat, at an average, fifty cents per bushel, a freeman's wages were equal to about sixty dollars a year at present values, besides keep. The Upland records show that just prior to Penn's occupancy wages had sensibly bettered. In March, 1680, Thomas Kerby and Robbert Drawton, servants, sued Gilbert Wheeler for wages. Kerby wanted pay for seventy days, between October 7th and January 7th, "so much as is usual to be given p'day, w^{ch} is fower (4) guilders p'diem wth costs." The court allowed Kerby and Drawton each fifty stivers (two and a half guilders) per day, the latter to be paid "in Corne or other good pay in y^e River." The four guilders was probably the "usual" rate of summer wages, the award of the court represented fall and winter wages. "Corne in y^e river"—that is, delivered where it could be shipped—was valued at three guild-

Hence the common expedient was resorted to of removing bushes and undergrowth only and girdling the larger trees, which were left to stand leafless and dead till they rotted and fell, when the logs were after a time "niggered up," or cut into lengths, rolled into piles and burnt. It was difficult to plow between and among so many trunks and stumps, and this led the Swedes, in order further to economize labor, to resort to a system of husbandry which still, in a great measure, regulates the pitching and rotation of crops in the Delaware, Maryland and Virginia peninsula. The ground was cleared in the winter, and then, unless tobacco was grown, the "new ground," as it was called, was planted in corn in the spring. The process, which is known as "listing," was to throw two furrows or four furrows together, by plowing up and down the field instead of around it, leaving a series of ridges with an unplowed space between. The soil of the ridges was pulverized with the harrow and then stepped off into hills about four feet apart, the corn-planter dropping his five grains in each hill, scooping the hill out, dropping and covering with a heavy hoe,—a simple operation which experts dispatched with two motions of the implement. At the last working of the corn, when it had grown stout and waist or breast-high, the "middle" of the lists were plowed out and the fresh earth thrown about the roots of the vigorous plant. This "listing" process was found excellently well suited to the low, flat lands of the peninsula, as, besides saving labor, it afforded a sort of easy drainage, the bottom of every furrow being a small ditch, and this enabled the farmers to plant their corn much earlier than they otherwise could have done. When the corn had gone through the "tasseling" and "silking" processes and the ear was fully developed, the "blades" were pulled and the "tops" cut for fodder. In September the ground was lightly plowed with small shovel-plows (as yet the "cultivator" was not) and sowed in wheat, the stalks being broken down after frost with the hoe or by running rollers over them. Wheat thus sowed on

ers per acre (or bushel). The winter wages, therefore, were equivalent to thirty cents a day in modern money, but in purchasing power, rating corn at the average present price of fifty cents per bushel, amounted to forty-one and sixty-six hundredths cents per day, summer rates being actually forty-eight cents, with a purchasing power of sixty-two cents. March 12, 1678, Israel Helm bought of Robbert Hutchinson, attorney for Ralph Hutchinson, "assignee of Daniel Juniper, of Accomac," "a Certayne man servant named William Bromfield, for y^e terme & space of four Jears [years] servitude now next Ensuing. . . . The above named Servant, William Bromfield, being in Co^{rt}, did promise to serve the s^d m^r Israel helm faithfully & truly the above^d terme of four Jears. The worpp^l Co^{rt} (upon ye Request of both parties concerned) Did order that w^{ch} is abovesaid to bee so recorded." The price paid by Helm was "twelve hundred Guilders." This was equal to three hundred guilders per annum, and it shows how valuable labor was and how prosperous agriculture must have been at that day on the Delaware. Helm paid (and other court entries show he simply paid the average price for such labor) one hundred and forty-four dollars in money (the present exchangeable value of which in corn is one hundred and ninety-two dollars) for four years' services of a man whom he had to board, lodge, clothe, care for when sick, and provide with an outfit when free. At twenty years' purchase this would be nearly one thousand dollars for a servant for life. Farming must have been very profitable to enable such prices to be paid.

ridges was so well protected by the drainage from frost and "winter-killing" that many farmers in the peninsula still throw their wheat-ground into corn-rows even where they use drills to sow it. Where wheat was not sowed on the corn-ground, and oats was not sowed in the spring, the stalk-field was summer-fallowed, being plowed in May, July and again before seeding. The wheat was cut with sickles, bound in sheaves, and thrown into "dozens," each shock being expected to yield a bushel. Rye, wheat and oats were thrashed with flails, and the former, sowed in November, was a favorite crop with the Swedes, the straw being sometimes shipped to Europe. Buckwheat was often sowed on the rye, wheat or oats stubble, the grain being used to feed stock. Flax and oats were sowed in the spring, either on the corn-ground or stubble-fields. Potatoes were planted on the bare ground and covered with the listing-plow. Sweet potatoes, however, were planted in hills after the ground had been deeply furrowed. Turnips were not much sown, except on new ground, and tobacco, in Acrelius' time, was only planted on such tracts or in the gardens.

The implements were few and rude, as were also the apparatus of the farm animals. The plows often had wooden mould-boards, and were not capable of working deeply; the harrows were of the primitive triangular shape, and the oxen or horses working them were attached by means of double links to the apex of the V. The ox-yokes had bows made of bent hickory-wood, the horses' traces were of twisted deer-hide and the collars of plaited corn-husks. The rest of the harness was home-made, of the same serviceable deer-skins, and the farmers and their lads, all fond of riding on horse-back, were content with a bear or deer-skin girt about the horse, with a rawhide surcingle in lieu of a saddle, imitating the Indians in dispensing with stirrups. Beans, pumpkins, squashes and melons were commonly planted in the hills with the corn. Much cabbage was produced, but the variety of other vegetables was limited to onions, peas, beets, parsnips, turnips, radishes, peppers, lettuce, pepper-grass and scurvy-grass, with a few herbs, such as chamomile, sage, thyme, rue, sweet marjoram, lavender, savory, etc., to supply the domestic pharmacy, or afford seasoning for the sausages, liver-puddings, head-cheese, etc., which were made at "hog-killing."

Penn, in his letter to the Free Society of Traders, speaks rather disparagingly of the orchards of the Swedes, as if they declined to profit by the peculiar adaptedness of their soils to fruit culture. Yet they must have been the first to naturalize the apple, the cherry and the peach on the Delaware, and we must give them the credit of having anticipated the cherry and apple orchards of Eastern Pennsylvania and Cumberland Valley, and the grand peach-tree rows for which the streets of Germantown became

famous. It was a Dutchman, settled among the earlier Swedes,¹ who produced the best cooking apple, and one of the best sort for eating—the Vandevere—that is grown in the Middle States, and it was a family of Delaware Swedes,² who earliest cultivated the peach by wholesale, and made it an article of commerce. The peach-tree probably came to Delaware from Maryland, having traveled along the coast from the early Spanish settlements in Florida; but it has nowhere become so completely naturalized, so healthy, so productive of large, succulent, delicious fruit as in the country which the Swedes first reclaimed from the wilderness. In the time of Acrelius the peach was supposed to be indigenous, and was cultivated so extensively as to be relied upon as a standard food for swine.

Domestic animals increased very rapidly among the Swedes. They imported their own milch kine and oxen in the first instance, but they found horses and swine running at large and wild, many having escaped into the "backwoods" from the Maryland planters.³ These horses had a good touch of the true Barb blood in them, as descendants of Virginia thoroughbred sires, and they were probably crossed with pony stock from Sweden. It seems likely that it is to this cross and the wild, half-starved existence they have led for two hundred years, living on salt grass and asparagus and fish, bedding in the sand and defying storm and mosquitoes, that we owe the incomparable breed of "beach" or Chingoteague ponies, fast, wiry, true as steel, untiring, sound, with hoofs as hard as iron and spirits that never flag. Acrelius noticed them acutely. He would not have been a parson if he had not had a keen eye for a horse. He says, "The horses are real ponies, and are seldom found over sixteen hands high. He who has a good riding horse never employs him for draught, which is also the less necessary, as journeys are for the most part made on horseback. It must be the result of this, more than of any particular breed in the horse, that the country excels in fast horses, so that horse-races are often made for very high stakes. A good horse will go more than a Swedish mile (six and three-quarters English miles) in an hour, and is not bought for less than six hundred dollars copper coinage" (sixty dollars). The cattle, says Acrelius, are middling, yielding, when fresh and when on good pasture, a gallon of milk a day. The upland meadows abounded in red and white clover, says this close observer, but only the first Swedish settlers had stabling for their stocks, except in cases of exceptionally good hus-

¹ Phillip Van der Weer's brick house at Traders' Hook, on the Brandywine, was built before 1655.

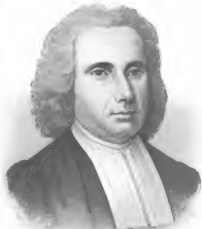
² The Reybolds.

³ Bacon's Laws of Maryland (1635-1751) are full of statutes relating to wild horses and their depredations, and to ear-marks and inclosures for all kinds of stock.

bandry. Horses, cattle, sheep and hogs ran out all the time, being inclosed at night, and sometimes sheltered in severe weather. They were, however, fed with grain, such as oats, corn and buckwheat, in addition to fodder in winter, the food of milch cows being bran or other ground mill-stuff. Acrelius says, in his dry, humorous way, "the man-servant takes care of the foddering of the cattle, whilst the house-wife and women-folks roast themselves by the kitchen fire, doubting whether any one can do that better than themselves."

The excellent Swedish pastor was a connoisseur in drinks as well as in horse-flesh, and he has catalogued the beverages used by the Swedes with the accuracy and minuteness of detail of a manager of a rustic fair. After enumerating the imported wines, of which Madeira was the favorite of course, he describes, like an expert, the composition of sangaree, mulled wine, cherry and currant wine, and how cider, cider royal, cider-wine and mulled cider are prepared. Our reverend observer makes the following commentary upon the text of rum: "This is made at the sugar plantations in the West India Islands. It is in quality like French brandy, but has no unpleasant odor. It makes up a large part of the English and French commerce with the West India Islands. The strongest comes from Jamaica, is called Jamaica spirits, and is the favorite article for punch. Next in quality to this is the rum from Barbadoes, then that from Antiguas, Montserrat, Nevis, St. Christopher's, etc. The heaviest consumption is in harvest-time, when the laborers most frequently take a sup, and then immediately a drink of water, from which the body performs its work more easily and perspires better than when rye whiskey or malt liquors are used." Rum, he tells us, was drunk raw, or as egg-nog ("egg-dram"), or in the form of cherry bounce or hillberry bounce; "punch," our learned author says, "is made of fresh spring-water, sugar, lemon-juice and Jamaica spirits. Instead of lemons, a West India fruit called limes, or its juice, which is imported in flasks, is used. Punch is always drunk cold; but sometimes a slice of bread is toasted and placed in it warm to moderate the cold in winter-time, or it is heated with a red hot iron. Punch is mostly used just before dinner, and is called 'a meridian.'"¹ The other preparations in which rum was an ingredient included Mûmm (mum), made of water, sugar and rum ("is the most common drink in the interior of the country, and has set up many a tavern-keeper"); "Manatham," small beer, rum and sugar; "tiff" or "flipp," same as foregoing, with the addition of a slice of toasted and buttered bread; hot rum punch, rum and water warmed

up, with sugar and allspice,—a "customary at funerals;" mulled rum hot, with eggs and allspice; *Hott-Pât*, warmed beer with rum added; "Sampson," warmed cider with rum added; grog; "sling" or "long sup," half-and-half sweetened rum and water; milk punch; mint-water; egg-punch, etc. "Sillibub" is made like the Swedish "Oelst," of milk-warm milk, wine and water,—a cooling beverage in summer-time; "still liquor" was the country name for peach or apple brandy; whiskey, our author says, "is used far up in the interior of the country, where rum is very dear on account of the transportation." The people in the town drink beer and small beer; in the country, spruce, persimmon-beer and mead. Besides this



Dr. Acrelius

there are numerous liquors. Tea was commonly used, but often brandy was put in it, coffee was coming into use as a breakfast beverage, the berries imported from Martinique, San Domingo and Surinam, and chocolate also was not neglected.²

¹ The subject of the sale of liquor to the Indians was before the court August 2, 1680, when the court reaffirmed the order of Governor Andros relating to it, and prohibited any one from bartering or retailing less than a half-anker of strong liquor to Indians. The order recited that there had been sad accidents by reason of its sale to the natives. On December 6, 1701, the matter was before the court again and there was a division of opinion upon it. Justice John Moll advocated that no liquors whatever should be sold to the Indians, and Justices Aldrich, Temple and De laes voted to sustain the order of 1680 given above and passed an order fining all who had violated it.

² In the eighteenth century, liquor licenses were issued by the State to those recommended as sober and fit persons to keep public-houses of entertainment and to sell rum, brandy, beer, ale, cider, perry and other strong liquors, provided they should not suffer any drunkenness, unlaw-

¹ Not because it aided "navigation," but because our Swedes dined at twelve o'clock.

In spite of all these liquids the early Swedes did not neglect solids. Their meals were four a day,—breakfast, dinner, “four o'clock piece” and supper, the latter sometimes dispensed with. There was no great variety of dishes, but such as were served were substantial; ham, beef tongue, roast beef, fowls, “with cabbage set round about,” was one bill of fare; roast mutton or veal, with potatoes or turnips, another; a third might be a pasty of deer, turkey, chickens, partridges or lamb; a fourth, beef-steak, veal cutlets, mutton-chops, or turkey, goose or fowls, with potatoes set around, “stewed green peas, Turkish beans or some other beans;” apple, peach, cherry or cranberry pie “form another course. When cheese and butter are added, one has an ordinary meal.” For breakfast, tea or coffee, with chipped beef in summer, milk-toast and buckwheat-cakes in winter, the “four o'clock piece” being like the breakfast. Chocolate was commonly taken with supper. The Swedes used very little soup and very little fish, either fresh or cured.

“The arrangement of meals among country people is usually this: for breakfast, in summer, cold milk and bread, rice, milk-pudding, cheese, butter and cold meat. In winter, mush and milk, milk-porridge, hominy and milk; supper the same. For noon, in summer ‘sappa’ (the French *bouillon*, meat-broth, with bread-crumbs added, either drunk or eaten with spoons out of common tin-cups), fresh meat, dried beef and bacon, with cabbage, apples, potatoes, Turkish beans, large beans, all kinds of roots, mashed turnips, pumpkins, cabbages and squashes. One or more of these are distributed around the dish; also boiled or baked pudding, dumplings, bacon and eggs, pies of apples, cherries, peaches, etc.”

The land was so settled in the time of Acrelius that each had his separate ground, and mostly fenced in. “So far as possible the people took up their abodes on navigable streams, so that the farms stretched from the water in small strips up into the land.” The Swedes used boats a great deal. They always went to church in boats if the ice permitted, and they had a great quarrel with Franklin, to whom Penn had given the monopoly of the Schuylkill Ferry, because he would not let their boats cross without paying toll. The houses were solid; in Acrelius' time mostly built of brick or stone, but earlier of logs, often squared oak logs, not often more than a story and a half high. The roofs were covered with oak or cedar shingles; the walls plastered and whitewashed once a year. The windows were large, often with hinged frames, but very small panes of glass when any at all was used,

for gaming or other disorders and comply with the laws of the State. The Court of General Sessions fixed the inn-keepers' rates, and one of these lists adopted in May, 1797, prescribed the prices as follows: gin, spirits, and brandy, of the first quality, per gill, 11d.; do., inferior quality, 9d.; Lisbon, Teneriffe, Fayal and other inferior wines, per bottle, 5s.; sherry and port wine, per bottle, 6s.; Madeira wine, per bottle, 8s. 3d.; claret, per bottle, 7s. 6d.; porter, ale and cyder, per bottle, 1s. 10d.; dinner, 3s.; breakfast and supper, each, 2s. 6d.; lodgings, 1s.; oats, per gallon, 1s.; corn, 1s. 4d.; hay, fodder and stabling, 2s. 6d.

¹ The pudding, says Acrelius in a note, was boiled in a bag; it was called a fine pudding when fruit was added; baked pudding was the young people's pancake; dumplings and puddings were called “Quakers' food.” Apple-pie was used all the year,—“the evening meal of children. House-pie, in country places, is made of apples neither peeled nor freed from their cores, and its crust is not broken if a wagon-wheel goes over it!”

and all the chimneys smoked. In some houses straw carpets were to be found, but the furniture was always simple and primitive, made of country woods, with now and then a mahogany piece. The clothing was plain, domestic linen being worn in summer and domestic woollens, kerseys and linseys in winter, with some calicoes and cottons of imported stocks. The domestic cloth was good in quality, but badly dyed. For finer occasions plush and satin were sometimes worn. Our good parson, by whose observations we have been profiting, notes the progress luxury had been making among the Swedes. He says:

“The times within fifty years are as changed as night is from day. . . . Formerly the church people could come some Swedish miles on foot to church; now the young, as well as the old, must be upon horseback. Then many a good and honest man rode upon a piece of bear-skin; now scarcely any saddle is valued unless it has a saddle-cloth with galloon and fringe. Then servants and girls were seen in church barefooted; now young persons will be like persons of quality in their dress; servants are seen with *perruques de cruas* and the like, girls with hooped skirts, fine stuff shoes and other finery. Then respectable families lived in low log houses, where the chimney was made of sticks covered with clay; now they erect painted houses of stone and brick in the country. Then they used ale and brandy, now wine and punch. Then they lived upon grits and mush, now upon tea, coffee and chocolate.”

Stray hints of the simple manners of these primitive times, and of the honesty, ingenuousness and quaint religious faith of the people, crop out now and then in the accounts which Acrelius gives of the churches and his predecessors in their pulpits. When the “upper settlers” and “lower settlers” quarreled about the place for their new church, and Wicaco carried the day, the lower settlers were placated with a flat-boat, maintained at the expense of the congregation, to ferry them over the Schuylkill. The church wardens kept the keys of the boat. This was the beginning of the church “Gloria Dei,” so venerable in the eyes of Philadelphians. The pastor's pay was sixty pounds, the sexton's eight pounds. If a man came drunk to church he was fined forty shillings and made to do public penance. The penalty for “making sport of God's word or sacraments” was five pounds fine and penance. For untimely singing, five shillings fine. If one refused to submit to this kind of discipline he was excluded from the society and his body could not be buried in the churchyard. The pastor and wardens looked carefully after betrothals and marriages. The whole congregation were catechized and also examined upon the contents of the sermon. There were also “spiritual examinations” made once a year in families. Each church had its glebe, the income from which was the pastor's, who also received a considerable sum from funerals, marriages, etc. The church bell was swung in a tree. Among the fixtures of the parsonage was a negro woman belonging to the congregation and included in the inventory of glebe property. When she grew old, “contrary” and “useless,” she was sold for seven shillings. When the Christina Church was restored there was a great feast and a general revival of in-

terest in the ancient Swedish ways. Matins were held at Christmas, Easter and Pentecost; garlanded lights and side lights of pine wood for Christmas services, and bridal pairs came to the services in the church with crowns and garlands, their hair dressed after the old-time Swedish custom. Among the new regulations of Pastor Hesselius was one to prevent people from driving across the churchyard, another forbidding them to sing as if they were calling their cows. People with harsh voices were ordered to stand mute or "sing softly." The Christina Church owned town lots in Wilmington, and used to hire out its "pall-cloth" for five shillings each funeral. The charge for burying a grown person was twelve shillings, children half-price.

The Swedish pastors were generally learned and accomplished men, who exerted themselves successfully in directing the minds of their congregations to the necessity of education. The original settlers were ignorant people, few of whom could write their names. Even Lasse Cock, agent for Penn and Markham for twenty years, could not at first do better than sign his "mark" to writings. The pastors, however, always made a brave stand for education, and were the means of preventing the Swedish tongue in America from sinking into oblivion. They also maintained as many of the old observances and religious ceremonies as possible, such as baptism soon after birth, an actual instead of formal sponsorship on the part of the god-parents, the old service of the churching of women, a general attendance upon the service and sacrament of the altar and a return to the ancient forms of betrothal and marriage. "The old speak of the joy," says Acrelius, "with which their bridal parties formerly came to church and sat during the whole service before the altar." Burials were solemn occasions, but had their feasts as well. The corpse was borne to the grave on a bier, the pall-bearers, chosen from those of the same sex and age of the deceased, walking close alongside and holding up the corners of the pall.

A few of the log cabins occupied by the primitive Swedes are said to be still standing. Watson, in his "Annals," describes one of the better class in Swanson's house, near Wicaco. John Hill Martin, in his "History of Chester," recalls two or three of these ancient houses. They were very rude affairs, with seldom more than a living room with a loft over it, door so low that one had to enter stooping, windows small square holes cut in the logs, protected by isinglass or oiled paper, or thin stretched bladders, often with nothing but a sliding board shutter.¹ The chimney was in the corner, of sticks and

clay, or sandstone blocks, generally built outside the house. The first Swede settlers imitated the Indians by dressing in skins and wearing moccasins. The women's jackets and petticoats and the bed-clothes were of the same materials. The furs were by and by superseded by leather breeches and jerkins, while the women spun, wove or knit their own woolen wear, as well as the linen for summer. The women, old and married, wore hoods in winter, linen caps for summer, but the unmarried girls went uncovered except in the hot sun, dressing their abundant yellow hair in long, broad plaits.

The proof of the industry of the early Swedes is to be sought in their works. They were a scattered, ignorant race, with no capital, few tools and no occupations but those of husbandry and hunting. They were only a thousand strong when Penn came over, yet they had extended their settlements over a tract nearly two hundred miles long and seven or eight miles deep, building three churches and five or six block-houses and forts, clearing up forests and draining swamps to convert them into meadow land. They had discovered and worked the iron deposits of Maryland in two or three places. They had built about a hundred houses, fenced in much of their land and made all their own clothes, importing nothing but the merest trifles, besides arms and ammunition, hymn-books and catechisms. They had built grist-mills and saw-mills, having at least four of the latter in operation before Penn's arrival.² According to Ferris, however, the frame house in which Governor Lovelace entertained George Fox in 1672 was made entirely of hewn timbers, none of the stuff being sawed, the mortar and cement being made of oyster-shell lime; the house itself was built of brick. Governor Printz found a wind-mill at Christiana in 1643, but he says it never would work. On the other side of the river there were horse-mills. One at South Amboy in 1685, it was estimated, would clear the owner £100 a year, the toll for grinding a "Scotch bell" (six bushels) of Indian corn being two shillings sterling, equal to one bushel in every four and a half. But probably more than half the early settlers had to do as a primitive denizen in Burlington reports himself

to view the place, which consisted "of only forty or fifty houses." They visited the plantation of John Moll and found his house very badly appointed for such a man of prominence. "There was no place to retire to, nor a chair to sit on, or a bed to sleep on. For their usual food the servants have nothing but maize bread to eat, and water to drink, which sometimes is not very good and scarcely enough for life, yet they are compelled to work hard. They are brought from England in great numbers into Maryland, Virginia and *Mexico* and sold each one according to his condition, for a certain term of years, four, five, six, seven or more. And thus they are by hundreds of thousands compelled to spend their lives here and in Virginia, and elsewhere in planting that vile tobacco. . . . After we had supped, Mr. Moll, who would be civil, wished us to lie upon a bed that was there, and he would lie upon a bench, which we declined; and as this continued some length of time, I lay down on a heap of maize, and he and my comrade afterwards both did the same. This was very uncomfortable and chilly, but it had to go on."

² Bishop, "History of Manufactures," i. 110.

¹ On November 22, 1670, Messrs. Dankers and Slayter, on their voyage to Maryland, stopped overnight at Upland. In their journal they say, "We were taken to a place to sleep directly before an open window, to which there was no shutter, so that it could not be closed; and as the night was very cold, and it froze hard, we could scarcely keep ourselves warm." When they arrived at New Castle, on the 25th, they went out

as doing, pounding Indian corn one day for the next. In 1680, two years before Penn, Thomas Olive had finished his water-mill at Rancoens Creek, and Robert Stacey his at Trenton. Printz mill on Cobb's Creek was built in 1643, and Campanius reports it as doing admirable work. Joost Andriansen & Co. built a grist-mill at New Castle in 1662. In 1671 there was a proposition made by New Castle to erect a distillery for grain, but the court negatived it, except the grain be "unfit to grind and bount," because the process of distilling consumed such "an immense amount of grain."

Hallam is right in saying that "No chapter in the history of national manners would illustrate so well, if duly executed, the progress of social life as that dedicated to domestic architecture." After the saw-mill the brick-kiln follows naturally and rapidly. Hazard produces a petition to New Amstel

and had a French vigneron to tend it, but the experiment failed. He had a brew-house, however, at Pennsbury, still standing, which was more successful.

Governor Printz was expressly instructed to encourage all sorts of domestic manufactures and the propagation of sheep. There were eighty of these animals in New Sweden in 1663, and the people made enough woollen and linen cloth to supplement their furs and give them bed and table linen. They also tanned their own leather, and made their own boots and shoes, when they wore any. Hemp was almost as much spun and woven as flax. The Swedes who had the land owned large herds of cattle, forty and sixty head in a herd. The Dutch commissaries were enjoined to search closely for all sorts of mineral wealth on the South River, and those who discovered valuable metal of

any kind were allowed the sole use of it for ten years. The Dutch discovered and worked iron in the Kittatinny Mountains, and, as has already been shown, the Swedes opened iron ore pits in Cecil County, Md. Charles Pickering found the copper with which he debased the Spanish reals and the Massachusetts pine-tree shillings on land of his own in Chester County.

When William Penn arrived in the Delaware in 1682, on October 27th, there were probably 3500 white people in the province and territories and on the eastern bank of the Delaware from Trenton to Salem. A few wigwags and not over twenty houses were to be found within the entire limits of what is now Philadelphia County. There were small towns at Hockills, New Castle, Christians, Upland, Burlington and Trenton, and a Swedish hamlet or two at Tinicum

and near Wicaco. Before the end of his first year in the province eighty houses had been built in the new city of Philadelphia, various industrial pursuits had been inaugurated and a fair and paying trade was opened with the Indians. When Penn left the province in 1684 his government was fully established, his chief town laid out, his province divided into six counties and twenty-two townships. He had sold 6000,000 acres of land for £20,000 cash and annual quit-rents of £500. The population exceeded 7000 souls, of whom 2500 resided in Philadelphia, which had already 300 houses built, and had established considerable trade with the West Indies, South America, England and the Mediterranean. When Penn returned again in 1689, the population of the province exceeded 20,000, and Philadelphia and its liberties had nigh 5000 people. It was a very strange population moreover. Not gathered together by the force of material and



WILLIAM PENN'S OLD BREW-HOUSE, NEAR BRISTOL,
BUCKS COUNTY, PA.

court, in 1656, from Jacobus Crabbe, referring to a plantation "near the corner where bricks and stones are made and baked." The Dutch introduced brick-making on the Delaware, the Swedes being used to wooden houses in their own country. The court-house at Upland, in which, it is said, Penn's first Assembly was held, was of brick.

The Swedes not only made tea of the sassafras, but they made both beer and brandy from the persimmon, and small beer from Indian corn. Kalm says that the brewing and distilling were conducted by the women. The Dutch had several breweries in the settlement about 1662. Coffee was too high to be much used in the seventeenth century. Penn's books show that it cost eighteen shillings and sixpence per pound in New York, and that would buy nearly a barrel of rum. Tea fetched from twenty-two to fifty shillings, currency, a pound. William Penn set-out a vineyard at Springettsbury,

temporary inducements, not drawn on by community of interests nor the desire of betterments instinctive in the human heart, with no homogeneousness of race, religion, custom and habit, one common principle attracted them to the spot, and that was the desire of religious liberty, the intense longing to escape from under the baneful, withering shadow of politico-religious persecution to which the chief tenet of their faith, non-resistance and submission to the civil authority, prevented them from offering any opposition. They desired to flee because their religious opinions bound them not to fight. They were not of the church militant, like the Puritans and Huguenots and Anabaptists, and so it became them to join the church migratory and seek in uninhabited wilds the freedom of conscience denied them among the communities of men. They were radicals and revolutionists in the highest degree, for they upheld, and died on the scaffold and at the stake sooner than cease to maintain, the right of the people to think for themselves, and think their own thoughts instead of what their self-constituted rulers and teachers commanded them to think. But they did not resist authority: when the statute and their consciences were at variance they calmly obeyed the latter and took the consequences. They knew themselves to be abused and shamefully misused, but they believed in the final supremacy of moral and intellectual forces over despotic forces. They believed with Wiclif that "Dominion belongs to grace," and they waited hopefully for the coming of the period of intellectual freedom which should justify their action before men and prove the correctness of their faith in human progress. But all this trust in themselves and the future did not contribute materially to lighten the burden of persecution in the present, and they sought with anxiety for a place which would give them rest from the weariness of man's injustice. They became pilgrims, and gathered their little congregation together wherever a faint lifting in the black cloud of persecution could be discerned. Thus it was that they drifted into Holland and the lower Rhine provinces of Germany, and became wanderers everywhere, seeking an asylum for conscience' sake, —a lodge in some wilderness, where "rumor of oppression and deceit might never reach," and where they might await in comparative peace the better time that was coming. The great King Gustavus Adolphus perhaps meant to offer them such an asylum in America, but his message was sent in the hurry of war and it was not audible in the din of battles. When, however, this offer was renewed and repeated in the plain language of the Quakers by William Penn, it was both heard and understood, and the persecuted peoples made haste to accept the generous asylum and avail themselves of the liberal offer. They did so in a spirit of perfect faith that is creditable both to their own

ingenuousness and to the character which Penn had established among his contemporaries for uprightness and fair and square dealing. It is pathetic to read, in the records of the Swiss Mennonites, how, after they had decided to emigrate, "they returned to the Palatinate to seek their wives and children, who are scattered everywhere in Switzerland, in Alsace, and in the Palatinate, and they know not where they are to be found."

Thus the movement into Pennsylvania and the three lower counties began, a strange gathering of a strange people, much suffering, capable of much enduring. Of the Germans themselves one of their own preachers' wrote: "They were naturally very rugged people, who could endure much hardships; they wore long and unshaven beards, disordered clothing, great shoes, which were heavily hammered with iron and large nails; they had lived in the mountains of Switzerland, far from cities and towns, with little intercourse with other men; their speech is rude and uncouth, and they have difficulty in understanding any one who does not speak just their way; they are very zealous to serve God with prayer and reading and in other ways, and very innocent in all their doings as lambs and doves." The Quakers, too, bore proof in their looks of the double annealing of fanaticism and persecution. They wore strange garbs, had unworldly manners and customs, and many of them had cropped ears and slit noses, and were gaunt and hollow-eyed from long confinement in jails and prison-houses. The influence of George Fox's suit of leather clothes was still felt among them. They were chiefly of the plebeian classes, the true English democracy, yeomen, tinkers, tradesmen, mechanics, retail shopmen of the cities and towns; scarcely one of the gentry and very few of the university people and educated classes. From Wales, however, the Thomases, Rees, and Griffiths came, with red, freckled faces, shaggy beards and pedigrees dating back to Adam. Persecution had destroyed their hitherto unconquerable devotion to their own mountains, but they took their pedigrees with them in emigrating, and settling on a tract of hills and quaking mosses, where the soil recommended itself much less to them than the face of the country, they sought to feel at home by giving to the new localities names which recalled the places from which they had banished themselves.

Such were the emigrants who sailed—mostly from London and Bristol—to help build up Penn's asylum in the wilderness. The voyage was tedious, and could seldom be made in less than two months. The vessels in which they sailed were ill appointed and crowded. Yet at least fifteen thousand persons, men, women and children, took this voyage between 1681 and 1700. The average

¹ Laurens Hendricks, of Nimeguen.

passage-money was, allowing for children, about seventy shillings per head; so the emigrants expended £50,000 in this one way. Their purchases of land cost them £25,000 more; the average purchases were about £6 for each head of family; quit-rents one shilling sixpence. The general cost of emigration is set forth in a pamphlet of 1682, republished by the Pennsylvania Historical Society, and attributed to Penn, and he must have directed the publication, though it is anonymous. In this pamphlet it is suggested that a man with £100 in pieces-of-eight may pay his own way and his family's by judicious speculation. The "advance in money"—i. e., the difference between specie value in London and on the Delaware—is thirty per cent., on goods the advance is fifty per cent., and this pamphlet supposes that these advances will pay the cost of emigration. The figures are too liberal; however, they give us an idea of what the expenses were which a family had to incur. They are as follows:

	£	s.	d.
For five persons—man and wife, two servants and a child of ten—passage-money	23	10	0
For a ton of goods—freight (each taking out a chest without charge for freight).....	2	0	0
Ship's surgeon, 2s. 6d. per head.....	12	6	
Four gallons of brandy, 24 lbs. sugar.....	1	0	0
Clothes for servant (6 shirts, 2 waistcoats, a summer and winter suit, hat, 2 pair shoes, under-clothing, etc.).....	12	0	0
Cost of building a house.....	15	0	0
Stock for farm.....	24	10	0
Year's provisions for family.....	16	16	0
Total.....	£95	00	00

This, it will be observed, on a favorable, one-sided showing, is £20 *per capita* for man, woman, child and servant, outside of the cost of land. If we allow £10 additional for cost of land, transportation and other extras, leaving out clothes for the family, we shall have £30 a head as the cost of immigration and one year's keep until the land begins to produce crops. It thus appears that the early immigrants into Pennsylvania and the three lower counties must have expended at least £450,000 in getting there in the cheapest way. The actual cost was probably more than double that amount. In a letter written by Edward Jones, "Chirurgion," from "Skoolkill River," Aug. 26 1682, to John ap Thomas, founder of the first Welsh settlement, we have some particulars of a voyage across the ocean at that time. Thomas and sixteen others had bought a five-thousand-acre tract of Penn. The rest sailed from Liverpool, but Thomas was ill, and not able to come. Hence the letter, which is published in a memoir of "John ap Thomas and his friends," in the *Pennsylvania Magazine*, vol. iv. The voyage took more than eleven weeks.

"And in all this time we wanted neither meat, drink or water, though several hogsheds of water ran out. Our ordinary allowance of beer was three pints a day for each whole head and a quart of water, 3 biskedd (biscuits) a day & sometimes more. We laid in about half hundred of biskedd, one barrell of beere, one hogshed of water, the quantity for each whole head, & 3 barrells of beefe for the whole number—40—and we had one to come ashore. A great many could eat little or no beefe, though it was good. Butter and cheese eats well upon ye

sea. Ye remainder of our cheese & butter is little or no worster; butter & cheese is at 6d. per pound here, if not more. We have oat meal to spare, but it is well ye have it, for here is little or no corn till they begin to sow their corn, they have plenty of it. . . . Ye name of town lots is called now Wicoco; here is a crowd of people striving for ye Country land, for ye town lot is not divided, & therefore we are forced to take up ye Country lots. We had much ado to get a grant of it, but it cost us 4 or 5 days' attendance, beside some score of miles we traveled before we brought it to pass. I hope it will please thee and the rest ye are concerned, for it hath most rare timber. I have not seen the like in all these parts."

Mr. Jones also states that the rate for surveying one hundred acres was twenty shillings—half as much as the price of the land. At this rate, Jones Thomas and company had to pay £50 for surveying their tract of five thousand acres.

It will be noticed that the face of the country pleased Dr. Jones, and he is satisfied with the land selected by him. All the early immigrants and colonists were pleased with the new land, and enthusiastic in regard to its beauty and its promise of productiveness. Penn is not more so than the least prosperous of his followers. Indeed, it is a lovely country to day, and in its wild, virgin beauty must have had a rare charm and attraction for the ocean-weary first settlers. They all write about it in the same warm strain. Thus, for instance, let us quote from the letter written in 1680 to his brother by Mahlon Stacey, who built the first mill on the site of the city of Trenton. Stacey was a man of good education and family. He had traveled much in Pennsylvania and New Jersey, where he made a great fortune and became a leading citizen, his children intermarrying with the best people in the two colonies. The letter, which we quote from Gen. Davis' "History of Bucks County," says that

"It is a country that produces all things for the sustenance of man in a plentiful manner. . . . I have traveled through most of the settled places, and some that are not, and find the country very apt to answer the expectations of the diligent. I have seen orchards laden with fruit to admiration, planted by the Swedes, their very limbs torn to pieces with the weight, and most delicious to the taste and lovely to behold. I have seen an apple tree from a pipkin kernel yield a barrel of curious cider, and peaches in such plenty that some people took their carts a peach gathering. I could not but smile at the sight of it. They are a delicate fruit, and hang almost like our onions that are tied on ropes. I have seen and known this summer forty bushels of bolted wheat harvested from one sown. We have from the time called May to Michaelmas great stores of very good wild fruits, as strawberries, cranberries and huckleberries, which are much like bilberries in England, but far sweeter; the cranberries much like cherries for color and bigness, which may be kept till fruit comes in again. An excellent sauce is made of them for venison, turkey and great fowl; they are better to make tarts than either cherries or gooseberries; the Indians bring them to our houses in great plenty. My brother Robert had as many cherries this year as would have loaded several carts. From what I have observed it is my judgment that fruit trees destroy themselves by the very weight of their fruit. As for venison and fowls we have great plenty; we have brought home to our houses by the Indians seven or eight fat bucks a day, and sometimes put by as many, having no occasion for them. My cousin Revels and I, with some of my men, went last Third month into the river to catch herrings, for at that time they came in great shoals into the shallows. We had no net, but, after the Indian fashion, made a round pinfold about two yards over and a foot high, but left a gap for the fish to go in at, and made a bush to lay in the gap to keep the fish in. When this was done we took two long birches and tied their tops together, and went about a stone's cast above our said pinfold; then hauling these birch boughs down the stream, we drove thousands before us, and as many got into our trap as it would hold. Then we began to throw them on shore as fast as three or four of us could lag two or three at a time. After this manner in half an hour we could have filled a three-bushel sack with as fine herring as ever I saw. . . . As to beef and pork, there is a great plenty of it and cheap; also good sheep. The common grass of the country feeds beef very fat. . . . We have great

plenty of most sorts of fishes that ever I saw in England, besides several sorts that are not known there, as rock, catfish, shad, sheepshead, and sturgeon; and fowls are as plenty—ducks, geese, turkeya, pheasants, partridges and many other sorts. Indeed the country, take it as a wilderness, is a brave country, though no place will please all. There is some barren land, and more wood than some would have upon their land; neither will the country produce corn without labor, nor is cattle got without something to buy them, nor bread with idleness, else it would be a brave country indeed. I question not but all would then give it a good word. For my part I like it so well I never had the least thought of returning to England except on account of trade."

"I wonder at our Yorkshire people," says Stacey, in another letter of the same date, "that they had rather live in servitude, work hard all the year, and not be threepence better at the year's end, than to stir out of the chimney-corner and transport themselves to a place where, with the like pains, in two or three years they might know better things. I live as well to my content and in as great plenty as ever I did, and in a far more likely way to get an estate."

Judge John Holme, in his so called poem on "the flourishing State of Pennsylvania," written in 1696, seems to have tried to set the views of Stacey to music. True there is not much tune nor rhythm in the verse, but the Pennsylvania writer of Georgics has a shrewd eye for a catalogue, and he would have shone as an auctioneer. He sings the goodness of the soil, the cheapness of the land, the trees so abundant in variety that scarcely any man can name them all, the fruits and nuts, mulberries, hazelnuts, strawberries, and "plumbs," "which pleaseth those well who to eat them comes," the orchards, cherries so plentiful that the planters bring them to town in boats (these are the Swedes, of course), peaches so plenty the people cannot eat half of them, apples, pears and quinces,

"And fruit-trees do grow so fast in this ground
That we begin with cider to abound."

The fields and gardens rejoice in the variety as well as the abundance of their products; in the woods are found "wax berries, elkermit, turmeric and sarsifrax;" the maple trunks trickle with sugar, and our author tells how to boil it; he gives the names of fish, flesh and fowls, including whales and sturgeons.

The Englishman of that day was still untamed. He had a passion, inherited from his Anglo-Saxon forbears, for the woods and streams, for outdoor life and the adventures which attend it. He had not forgotten that he was only a generation or two younger than Robin Hood and Will Scarlet, and he could not be persuaded that the poacher was a criminal. All the emigration advertisements, circulars, and prospectuses sought to profit by this passion in presenting the natural charms of America in the most seductive style. While the Spanish enlisting officers worked by the spell of the magic word "gold!" and the canny Amsterdam merchant talked "beaver" and "barter" and "cent. per cent.," the English solicitors for colonists and laborers never ceased to dwell upon

the normal attractions of the bright new land, the adventures it offered, and the easy freedom to be enjoyed there. Thus in advocating his West Jersey settlements John Fenwick wrote in this way:

"If there be any terrestrial happiness to be had by any People, especially of any inferior rank, it must certainly be here. Here any one may furnish himself with Land, and live Rent free, yea, with such a quantity of Land, that he may weary himself with walking over his Fields of Corn, and all sorts of Grain, and let his Stock amount to some hundreds; he needs not fear their want of Pasture in the Summer or Fodder in the Winter, the Woods affording sufficient supply, where you have Grass as high as a Man's Knees, nay, as his Waste, interlaced with Pea Vines and other Weeds that Cattle much delight in, as much as a Man can pass through; and these Woods also every Mile and half mile are furnished with fresh Ponds, Brooks, or Rivers, where all sorts of cattell, during the heat of the Day, do quench their thirst and Cool themselves. These Brooks and Rivers being invironed of each side with several sorts of Trees and Grape Vines, Arbor-like interchanging places, and crossing these Rivers, do shade and shelter them from the scorching beams of the Sun. Such as by their utmost labors can scarcely get a Living may here procure Inheritance of Lands and Possessions, stock themselves with all sorts of Cattle, enjoy the benefit of them while they live and leave them to their Children when they die. Here you need not trouble the Shambles for Meat, nor Bakers and Brewers for Beer and Bread, nor run to a Linen-Draper for a supply, every one making their own Linen and a great part of their Woollen Cloth for their ordinary wearing. And how prodigal (if I may say) hath Nature been to furnish this Country with all sorts of Wild Beasts and Fowl, which every one hath an interest in and may Hunt at his pleasure, where, besides the pleasure in Hunting, he may furnish his House with excellent fat Venison, Turkeys, Geese, Heath-hens, Cranes, Swans, Ducks, Pigeons, and the like; and, wearied with that, he may go a Fishing, where the Rivers are so furnished that he may supply himself with Fish before he can leave off the Recreation. Here one may Travel by Land upon the same Continent hundreds of Miles, and pass through Towns and Villages, and never hear the least complaint for want nor hear any ask him for a farthing. Here one may lodge in the Fields and Woods, travel from one end of the Country to another, with as much security as if he were lock'd within his own Chamber; and if one chance to meet with an Indian Town, they shall give him the best Entertainment they have, and upon his desire direct him on his Way. But that which adds happiness to all the rest is the healthfulness of the Place, where many People in twenty years' time never know what Sickness is; where they look upon it as a great Mortality if two or three die out of a Town in a year's time. Besides the sweetness of the Air, the Country itself sends forth such a fragrant smell that it may be perceived at Sea before they can make the Land: No evil Fog or Vapor doth any sooner appear but a North-West or Westerly Wind immediately dissolves it and drives it away. Moreover, you shall scarce see a House but the South side is begirt with Hives of Bees, which increase after an incredible manner: so that if there be any terrestrial Causan, 'tis surely here, where the land floweth with Milk and Honey."

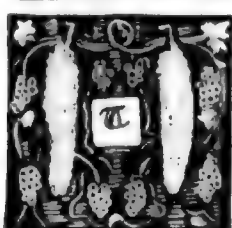
This is the tenor of all the Maryland invitations to immigration likewise, and Penn follows the model closely. His letter to the Society of Free Traders in 1683 has already been mentioned, and also his proposals for colonists. In December, 1685, he issued a "Further Account of Pennsylvania," a supplement to the letter of 1683. He says that ninety vessels had sailed with passengers, not one of them meeting with any miscarriage. They had taken out seven thousand two hundred persons. "Houses over their heads and Garden-plots, coverts for their cattle, an increase of stock, and several inclosures in Corn, especially the first comers, and I may say of some poor men was the beginning of an Estate, the difference of laboring for themselves and for others, of an Inheritance and a Rack Lease being never better understood." The soil had produced beyond expectations, yielding corn from thirty to sixty fold; three pecks of wheat sowed an acre; all English root crops thrive; low lands were excellent for rope, hemp and flax; cattle find abundant food in the

woods; English grass seed takes well and yields fatting hay; all sorts of English fruits have taken "mighty well;" good wine may be made from native grapes; the coast and bay abound in whales, the rivers in delicate fish; and provisions were abundant and cheap, in proof of which he gives a price current. Penn concludes by quoting an encouraging letter he had received from Robert Turner.

In 1687, Penn published another pamphlet, con-

N^o 3879

Ten Shillings



His Indentured Bill of Ten Shillings current Money of America, according to the Act of Parliament, made in the Sixth Year of the late Queen Anne, for Ascertaining the Rates of foreign Coins in the Plantations, due from the Province of Pennsylvania, to the Possessor thereof, shall be in Value equal

to Money, and shall be accepted accordingly by the Provin-

cial Treasurer, County Treasurers and the Trustees for the General Loan-Office of the Province of Pennsylvania, in all Publick Payments, and for any Fond at any Time in any of the said Treasuries and Loan-Office.

Dated in Philadelphia the Second Day of April, in the Year of Our Lord, One Thousand Seven Hundred and Twenty Three, by Order of the Governor and General Assembly.

Ten Shillings



Anthony Morris
Provincer

PROVINCIAL CURRENCY.

taining a letter from Dr. More, "with passages out of several letters from Persons of Good Credit, relating to the State and Improvement of the Province of Pennsylvania." In 1691 again he printed a third pamphlet, containing "Some Letters and an Abstract of Letters from Pennsylvania" Dr. More takes pains to show the plenty and prosperity which surround the people of the province. "Our lands have been grateful to us," he says, "and

have begun to reward our Labors by abounding Crops of Corn." There was plenty of good fresh pork in market at two and a half pence per pound, currency; beef, the same; butter, sixpence; wheat, three shillings per bushel; rye at eight groats; corn, two shillings in country money, and some for export. Dr. More had got a fine crop of wheat on his corn ground by simply harrowing it in; his hop garden was very promising. Arnoldus de la Grange had raised one thousand bushels of English grain this year, and Dr. More says, "Every one here is now persuaded of the fertility of the ground and goodness of climate, here being nothing wanting, with industry, that grows in England, and many delicious things not attainable there; and we have this common advantage above England, that all things grow better and with less labour." Penn's steward and gardener are represented as writing to him that the peach-trees are broken down with fruit; all the plants sent out from England are growing; barn, porch and shed full of corn; seeds sprout in half the time they require in England; bulbs and flowers grow apace. David Lloyd writes that "Wheat (as good, I think, as any in England) is sold at three shillings and sixpence per Bushel Country money and for three shillings ready money (which makes two shillings five pence English sterling), and if God continues his blessing to us, this province will certainly be the granary of America." James Claypoole writes that he has never seen brighter and better corn than in these parts. The whale fishery was considerable; one company would take several hundred barrels of oil, useful, with tobacco, skins, and furs for commerce and to bring in small money (of which there is a scarcity) for change. John Goodson writes to Penn of the country that "it is in a prosperous condition beyond what many of our Friends can imagine;" if Penn and his family were there "surely your Hearts would be greatly comforted to behold this Wilderness Land how it is becoming a fruitful Field and pleasant Garden." Robert James writes to Nathaniel Wilmer: "God prosper his People and their honest Endeavors in the wilderness, and many have cause to Bless and

Praise his holy Arm, who in his Love hath spread a Table large unto us, even beyond the expectations or belief of many, yea, to the admiration of our Neighboring Colonies. . . . God is amongst

¹ "Country money" was produce in barter, such as furs, tobacco, grain, stock, etc., at rates established by the courts in collecting fees, etc.; "ready money" was Spanish or New England coin, which was at 25 per cent. discount in Old England. See Sumner, "History of American Currency." The differences are set out in "Madame Knight's Journal." According to the above the discount on country money was 31 per cent. and on ready money 20 per cent.

his People and the wilderness is his, and he waters and refreshes it with his moistening Dew, whereby the Barren are becoming pleasant Fields and Gardens of his delight; blessed be his Name, saith my Soul, and Peace and Happiness to all God's People everywhere."

In 1685 a pamphlet called "Good Order Established," and giving an account of Pennsylvania, was published by Thomas Budd, a Quaker, who had held office in West Jersey. Budd was a visionary, mixed up with Keith's heresy, and wanted to get a bank established in Philadelphia. He built largely in that city, and was a close observer. He pays particular attention to the natural advantages of the country in its soil, climate, products and geographical relations. The days in winter are two hours longer, and in summer two hours shorter than in England, he says, and hence grain and fruits mature more swiftly. He enumerates the wild fowls and fishes, the fruits and garden stuff, and thinks that the Delaware marshes, once drained, would be equal to the meadows of the Thames for wheat, peas, barley, hemp, flax, rape and hops. The French settlers were already growing grapes for wine, and Budd thought that attempts should be made to produce rice, anise seed, licorice, madder and woad. He has much to say about the development of manufactures, and he proposes to have a granary built on the Delaware in a fashion which is a curious anticipation of the modern elevator, and he projects a very sensible scheme for co-operative farm-work, on the community plan, the land to be eventually divided after it has been fully cleared and improved, and the families of the commune have grown up.

In 1698 was published Gabriel Thomes' "Historical and Geographical Account of the Province and Country of Pennsylvania and West New Jersey in America." This well-known brochure descants in florid and loose terms upon "The richness of the Soil, the sweetness of the Situation, the Wholesomeness of the Air, the Navigable Rivers and others, the prodigious increase of Corn, the flourishing condition of the City of Philadelphia, etc. The strange creatures, as Birds, Beasts, Fishes, and Fowls, with the Several Sorts of Minerals, Purging Waters, and Stones lately discovered. The Natives, Aborigines, and their Language, Religion, Laws and Customs. The first Planters, Dutch, Swedes and English, with the number of its inhabitants; as also a Touch upon George Keith's New Religion, in his second change since he left the Quakers; with a Map of both Counties." The title-page leaves the book but little to say. Gabriel is enthusiastic about pretty much everything. He makes some shrewd remarks, however, as when he says that he has reasons to believe Pennsylvania contains coal,

"for I have observed the runs of water have the same color as that which proceeds from the coal mines in Wales." He shows the abundance of game by telling how he had bought of the Indians a whole buck (both skin and carcass) for two gills of gunpowder. Land had advanced in twelve years from fifteen or eighteen shillings to eighty pounds per one hundred acres, over a thousand per cent. (in Philadelphia), and was fetching round prices in the adjacent country.

The Swedes had no roads. They followed bridle-paths on foot or on horseback, and carried their freight by water. It was in 1686 that the people of Philadelphia began to move for better highways. The Schuylkill ferry monopoly was then exciting public attention, and the Council took the whole matter of thoroughfares into consideration. The first control of roads was by the courts, which appointed overseers and fence-viewers, the grand jury laying out the roads. In 1692 the control of roads was given to the townships, and this lasted until the adoption of a general road law.

Precisely what sort of houses were built by the first settlers may be known with satisfactory exactness from the contemporary records. In Penn's tract of "Information and Direction to such Persons as are inclined to America," we have a description of such houses, and we may assume that the "Welcome's" passengers erected exactly such structures during their probationary period of cave life or hut life in the wilderness. The dimensions given are almost those of the house of Pastorius:

"To build them an House of thirty foot long and eighteen foot broad with a partition near the middle, and another to divide one end of the House into two small Rooms, there must be eight Trees of about sixteen inches square, and cut off to Posts of about fifteen foot long, which the House must stand upon, and four pieces, two of thirty foot long and two of eighteen foot long, for Plates, which must lie upon the top of these Posts, the whole length and breadth of the House, for the Gists (joists) to rest upon. There must be ten Gists of twenty foot long to bear the Loft, and two false Plates of thirty foot long to lie upon the ends of the Gists for the Rafter to be fixed upon, twelve pairs of Rafter of about twenty foot to bear the Roof of the House, with several other small pieces, as Windbeams, Braces, Studs, &c., which are made out of the Waste Timber. For covering the House, Ends and Sides, and for the Loft we use Clabboard, which is Rived feather-edged, of five foot and a half long,¹ that, well Drawn, lyes close and smooth: The Lodging Room may be lined with the same, and filled up between, which is very Warm. These houses usually endure ten years without repair."

The cost of such a house is given as follows: Carpenter's work (the owner and his servants assisting), £7; a barn of the same dimensions, £5; nails and other things to finish both, £3 10s; total for house and barn, £15 10s. These houses had dirt floors, clapboard floors for garret. Oldmixon copies these directions verbatim in his description of the houses of the first settlers. The directions,

¹ "Feather-edged," with one side thinner than the other, as shingles are made.

however, are very incomplete; no provisions are made for doors, windows or chimneys. Of the latter these houses had but one, built outside the gable of the sitting-room, sometimes of stone, sometimes of clay and sticks, sometimes of wood only. The doors could be made of riven stuff, of course, with deer-skin hinges and wooden latch and bar, and the windows could be closed with clapboard shutters. A large fire-place was needed, with a stone hearth; the table could be made of hewn stuff, resting on puncheons driven into the ground, and blocks, stools and benches would answer for seats. Rude wooden bedsteads or berths could be contrived along the walls, and a few bearskins, with the bedclothes brought over by every emigrant, would make them warm. The other furniture would comprise chiefly kitchen utensils; pork fat, whale or sturgeon oil, and pine knots or "light wood" would give all the artificial light needed.

Iron articles were most costly and hardest to get. Edward Jones, at Merion, writes in August, 1682, for nails, sixpennies and eightpennies; for mill-iron, an iron kettle for his wife, and shoes, all of which he says are dear; "Iron is about two and thirty or forty shillings a hundred; steel about 1s. 5d. per pound." In Penn's "Directions" he recommends colonists to bring out with them, in the way of utensils and goods, "English Woollen and German Linen, or ordinary Broad-Clothes, Kersseys, Searges, Norwich-Stuffs, some Duffels, Cottons and Stroud-waters for the Natives, and White and Blew Ozenburgs [Osnaburgs], Shoes and Stockings, Buttons, Silk, Thread, Iron Ware, especially Felling Axes, Hows, Indian Hows, Saws, Frows [frowers, for splitting shingles], Drawing Knives, Nails, but of 6d. and 8d. a treble quantity, because they use them in shingling or covering of Houses." For the first year's stock for a farm he advises "three milch cows, with young calves by their sides, £10; yoke of oxen, £8; Brood mare, £5; two young Sows and a Boar, £1 10s.,—in all £24." For first year's provisions: Eight bushels of Indian corn *per capita*, and five bushels of English wheat, for five persons, £8 7s. 6d.; two barrels of molasses (for beer), £3; beef and pork, 120 pounds per head, at 2d. per pound, £5; five gallons spirits at 2s. per gallon, 10s. Three hands, with a little help from the woman and boy, can plant and tend 20,000 hills of corn (planted four feet each way, there are 2717 hills to an acre, or seven and one-third acres to the whole number of hills), and they may sow eight acres of spring wheat and oats, besides raising peas, potatoes and garden stuff. The expected yield will be 400 bushels of corn, 120 bushels of oats and wheat, etc. These calculations were moderate for a virgin soil, free from vermin. Dr. More, in his letter to Penn in September, 1686, says, "I have had seventy ears of Rye upon one single root, proceeding from one

single corn; forty-five of Wheat; eighty of Oats; ten, twelve and fourteen of Barley out of one Corn. I took the curiosity to tell one of the twelve Ears from one Grain, and there was in it forty five grains on that ear; above three thousand of oats from one single corn, and some I had that had much more, but it would seem a Romance rather than a Truth if I should speak what I have seen in these things."

A better class of houses than these clapboard ones with dirt floors were soon built. Indeed, the old log houses of the Swedes were more comfortable, especially when built like that of Sven Seners' at Coaquannoc, with a first story of stone and the superstructure of logs. A well-built log house, on a stone foundation, well filled in with bricks or stone and mortar, and ceiled inside with planking like a ship, makes the driest, warmest and most durable country-house that can be built. But the settlers immediately began to burn bricks and construct houses of them, often with a timber framework, in the old Tudor cottage style. This sort of building went on rapidly as soon as limestone began to be quarried and burnt.¹

This better class of houses was, of course, more elaborately furnished. It may be noticed that in John Goodson's directory in Philadelphia, cabinet-makers and other workmen in furniture and interior movables are mentioned, but all the first settlers must have brought or imported their furniture from Europe. It was stiff and heavy, scarcely anticipating that slim and spindling style which came in with the next English sovereign, and has recently been revived with an extravagance of pursuit seldom exhibited except in bric-a-brac hunters and opera-bouffe artistes. As yet not much mahogany and rosewood were used by the Northern nations (except the Dutch), but good solid oak, well-carved, and walnut were the favorite woods. There were great chests of drawers, massive buffets, solid tables, with flaps and wings, straight-back oak chairs, well-carved, leathern-seated chairs, studded with brass nails, and tall Dutch clocks. Much of the table furniture was pewter or common delf-ware; brass and copper served in the kitchen where now tin is used. Wood was the only fuel, and the fire-places, enormously capacious, had great iron dogs in them, to which, in winter-time, the back-log was often dragged by a yoke of oxen with the log-chain. Cranes and hooks, suspended in these fire-places, held pots for the boiling, and the roasting was done on spits or upon "jacks," which dogs had to turn. The bread was baked in a brick oven usually outside the house, and the minor baking in "Dutch ovens," set upon and covered over with beds of red-hot coals. In the family

¹ "Madam Farmer," who was the first person to burn stone lime in Philadelphia (Buird, in 1685, says no stone lime had been discovered), offered, in 1696-87, to sell ten thousand bushels of Schuylkill lime at sixpence per bushel at the kiln.

part of the house the brass andirons and tongs and fender made the fire glow upon the deep hearth look doubly cheerful. The Quakers did not use stoves until Benjamin Franklin inveigled them into it with that simulacrum of an open fireplace

called the Franklin stove. The Swedes scarcely had chimneys, much less stoves, but the Germans early imported the great porcelain stoves which they were familiar with at home, and which they used until Christopher Saur, the Germantown printer, invented the ten-plate stove, for which lovers of the beautiful will scarcely know how to forgive him. All well-to-do families had good store of linen for bed-clothes, blankets, etc.; the washing was not done often, and the chests of drawers were filled with homespun. Especially



WM. PENN'S CLOCK.

was this the case among the German settlers, who scarcely washed up the soiled house and person wear more than once in a quarter. It was the pride and test of a good housewife to have more linen made up than she knew what to do with.¹ It is noteworthy that the Germans built their houses with one chimney, in the centre of the building, the English with a chimney at each end, and this distinction was so commonly marked as to attract the attention of travelers.² In their bedroom furniture the Germans substituted the "feather deck" for the blanket,—*more majorem*,—and this uncomfortable covering is still retained.

In the houses the floors down-stairs were sanded. There were no carpets as yet, not even home-made ones, and the Germans have not been using these for a hundred years. William Penn had no carpets in his Pennsbury Manor house. The large, heavy tables in the dining and living rooms of the early homes groaned with plenty, and the great pewter dishes were piled high. The people worked hard, and they did not stint themselves. The Swedes, Germans and Quakers were all of them hearty feeders, and they liked gross food. No dread of dyspepsia limited their dishes; they had abundance and enjoyed it. Only a few men of English habits and fond of port, brandy and madeira, like Capt. Markham, ever had the gout.³

¹ In a clever little volume, published in 1873, called "Pennsylvania Dutch and other Remays," we read of one extremely provident and fore-handed dame who had a bureau full of linen shirts and other clothes ready made up for her future husband, whom she was yet to meet, and whose measure she could, of course, only guess at, by assuming that the right man, when he did come, would be of the size and figure she had in her mind's eye in cutting out the garments.

² Schoepf's "Reise Durch Pennsylvanien," 1783, quoted by I. D. Rupp, notes to Dr. Rush's pamphlet on "Manners of the Germans in Pennsylvania."

³ In Governor Fletcher's time the Council adjourned to meet again in

The rivers teemed with fish, and the Quakers early learned the virtues and delicious flavor of the shad, broiled on a plank at one side the fireplace, while a johnny-cake browned on another plank at the other side of the fire. Penn grew so fond of these that in 1686 he wrote to Harrison to send him some "smoakt haunches of venison and pork. Gett them of the Sweeds. Some smoakt shadd and beef. The old priest at Philadelphia (*Fabricius*) had rare shadd. Also some peas and beans of that country." Richard Townshend, in 1682, says that the first year colonists almost lived on fish, of which great quantities were caught, the winter being an open one, and venison,—“We could buy a deer for about two shillings, and a large turkey for about one shilling, and Indian corn for about two shillings and sixpence per bushel.” Six rockfish or six shad could be bought for a shilling; oysters two shillings a bushel, herrings one shilling and sixpence per hundred. Sturgeon were caught for food, and also for the oil they supplied. The Delaware and the Schuylkill and adjacent pools and marshes were the resort of myriads of wild-fowl, from swan and geese down to rail and reed-birds. As soon as the settlers became established, the flesh of all domesticated animals was cheap in the markets. Every family kept its own cows, made its own butter and



WILLIAM PENN'S SILVER TEA-SERVICE.

cheese, salted, cured and smoked its own bacon, beef, herring, shad, venison and mutton. The smoke-house, dairy and poultry-house were appendages to all town houses, and most of them had their own vegetable gardens likewise. It was the custom then, and remained so until long after the beginning of the present century, for every house to be provisioned as if to stand a siege. The cellars had great bins for potatoes and other roots and apples; there were tiers of barrels of fresh cider, and casks for vinegar to ripen in, and in a locked recess were usually some casks of madeira, sherry,

Markham's house because the gout prevented him from going out, and Fletcher wanted a full attendance of his advisers.

port, rum, brandy, gin, etc., for the master and his guests, with marsala and malaga for the women and children. There was an astonishing amount of drinking going on all the time; all drank something, if it was only ale or small beer. The pantry and store-house of the mistress was for use, not ornament. Her barrels of saur-kraut were in the cellar, her firkins of apple-butter occupied the ample garret, along with strings of onions, hampers of dried peaches and apples, and great bundles of dried herbs; but in the store-room the deep-bottomed shelf was ranged around with gray stone jars of large capacity, filled with pickles, the shelf above it marshaled a battalion of glass jars of preserves of every sort, and the upper shelves bent under the weight of bottles filled with sauces and sruhs, and "bounce" and ketchups, and soys, cordials, lavender, aromatic vinegars, and a hundred deft contrivances to tickle the palate, and deprave all stomachs but such as those of these hardy toilers in the open air.

The gardens yielded all the common vegetables, and people who ate so largely of salted meats and fish required much vegetable food and many sweets and acids to protect them from scorbutic affections. Onions, turnips, cabbage, potatoes were supplemented with the more delicate vegetables known in Germany. The Indians supplied the colonists with their first peas, beans and squashes, taught them how to boil mush, to pound hominy, to roast the tender ears of corn and prepare the delightful succotash. Much pastry was used, many sweetmeats and pickles, but not very high seasoning. At table, until tea and coffee became regular articles of diet with all classes, cider and the small beers of domestic brewing were served without stint at every meal. In winter the beers were sweetened, spiced, warmed and drunk for possets. Wines did not appear except upon the tables of the well-to-do, but rum and spirits were in every house, and all took their morning and noon drams in some shape or other. The effects of alcohol were neutralized by the active out-door life all led, and by the quantities of coarse food taken at every meal. In the journal of William Black, who was in Philadelphia in 1744,¹ it is made to appear among the duties of hospitality to be treating to something or other every hour in the day. This young fellow either had a very strong head, or alcohol did not make the same impression upon the strong, healthy frame of the youth of that day which it does upon modern effeminate men. There was bread, cider, and punch for lunch, rum and brandy before dinner, punch, madeira, port and sherry at dinner, bounce and liqueurs with the ladies, and wine and spirits *ad libitum* till bedtime. The party are wel-

comed, too, with a bowl of fine lemon punch big enough to have "swimm'd half a dozen young geese." After five or six glasses of this "poured down their throats," they rode to the Governor's house, were introduced and taken into another room, "where we was presented with a glass of wine," and it was punch, spirits or "a few glasses of wine" wherever they went during their stay, his friends being, as he says, as liberal with their good wine "as apple-tree of its fruit on a windy day in the month of July."

The dress of the people in the early days of which we write was simple, plain, but not formal as that of the Quakers subsequently became. The country people, for their ordinary wear, made much use of serviceable leather doublets and breeches, woolen waist-coats, felt hats, heavy shoes with leather leggings, or else boots. They wore stout flannel next to the skin in winter, rough coats and many woolen wraps about the throat; in summer, coarse Osnaburgs and home-made linens. All wore wigs, and the dress suits of cloth or camlet were brave with buttons, braid and buckles, silk stockings and embroidered waist-coats, gold-laced hats and fine lace ruffles and cravats. Gentlemen wore their small swords; workmen and laborers either dressed in leather, druggets, serge, fustian or lockram, or else in Osnaburgs. Common women and servants wore linen and domestics, linseys and calicoes; on their heads a hood or quilted bonnet, heavy shoes, home-knit stockings of thread or yarn, petticoats and short gowns, with a handkerchief pinned about the shoulders. The ladies had, of course, more brilliant and varied wardrobes; the hat was high-crowned, the hair much dressed; stomachers and corsage long and stiff; much cambric about the neck and bosom, much gimp, ribbon and galloon; silk or satin petticoats, and dainty shoes and stockings. A friend in 1697 sent Phineas Pemberton's wife "an alamode hood," and the ladies would contrive always to have something "*à la mode*." In the inventory of Christopher Taylor's estate are enumerated "a baratine body, stomacher and petticoat, cambric kerchiefs and forehead cloths." In that of John Moon were a "fine Brussels camlet petticoat, a yellow silk mantle, silk band and sash, silk and satin caps, hoods, lute-strings, white silk hoods." William Stanley's store had for sale "frieze, serge, broadcloth, Holland linen, yellow, green and black calicoes, satins, lute-strings, tabby, silk plush, ribbon, striped petticoats, phillimot, ferret, flowered silks, thread laces, gimps, whalebones, galloons." Letitia Penn did not disdain to buy finery in Philadelphia, caps, buckles, a watch and other goldsmith's articles. There was not a great amount of luxury, however, nor much plate nor display of fine articles. The people's habits were simple. They were all industrious, ploddingly so,

¹ Black was a young Virginian, secretary of the commissioners appointed by Governor Gooch, of Virginia, to unite with those of Pennsylvania and Maryland to treat with the Six Nations in 1744. His diary has been published in the *Penn. Magazine*, vol. i.

and the laws and sentiment and temper of the influential classes frowned equally upon display and extravagance. The wild youth, the sailors and laborers sometimes broke bounds, but the curb was in their mouths and they were soon reined up.

The population seemed to realize that they had their fortunes to make, and that good pay and great industrial opportunities made idleness and loose, extravagant living inexcusable. Wages were comparatively high, labor was respectable and respected. In 1689 there were ten vessels sent to the West Indies freighted with produce of the province, and the same year fourteen cargoes of tobacco were exported. In 1698 the river front at Philadelphia abounded with the conveniences and facilities requisite for an extensive commerce, and for building and repairing vessels, as well as loading and unloading them. Ship carpenters earned five and six shillings a day in wages, and on that pay would soon save money. The trade to the West Indies and Brazil consisted of horses and other live-stock, provisions, staves, etc. The vessels themselves were sold with their cargoes, and every one might have his little venture in a traffic which paid double the investment on each risk. Thus the ship carpenter, who laid by one day's wages a week, could, in a month or two, be trading to the Indies so as to give him £50 or £60 clear money at the end of the year, and that would buy him a farm, build him a house or give him a share in some vessel on the stocks. In ten years he could become a capitalist, as many of his trade did so become. The timber of the Susquehanna and Delaware was sometimes sent across the ocean in huge raft ships, rigged with sails and manned by regular crews. We read of one of these, the "Baron Renfrew," measuring five thousand tons, which arrived safely in the Downs.

Mills were established rapidly under the proprietary government. Penn had two on the Schuylkill. Richard Townshend had one at Chester and one on Church Creek in 1683. The Society of Free Traders had a saw-mill and a glass-house in Philadelphia the same year. The saw-mills still could not meet the demand for lumber, and in 1698 hand-sawyers were paid six and seven shillings per hundred for sawing pine boards; in 1705, ten shillings. Shingles in 1698 sold for ten shillings per thousand; hemlock "cullings," ten shillings per hundred; timber, six shillings per ton. Printz's grist-mill on the Karakung was soon duplicated after the proprietary government took possession. Pastorius says the colony had mills enough; the Frankford Company had established several as early as 1686. Some of the large mills added to their profits by having bakeries connected, where ship-bread was baked in quantities for sea-going vessels.

We have already spoken of the early manufac-

ture of bricks. The Swedes' Church at Wicaco, still standing, was built of brick in 1700. The first Proprietary Assembly at Upland was held in a brick house, but these bricks were probably imported. The first Quaker meeting-house in Philadelphia was of brick, built in 1684. Penn's brew-house at Pennsbury, still standing, was built before his mansion. Penn, Dr. More and several others of the first settlers made strong efforts to improve native grapes, introduce the exotic grape and manufacture wine. They had wine made of fox-grape juice and fancied it was as good as claret. Penn set out a vineyard at Springettsbury and had a French vigneron to tend it. The experiment failed, however, and was abandoned before Penn's second visit. Pastorius was deceived also, and wrote to Germany for a supply of wine-barrels, which, however, he never filled, unless with cider or peach-brandy. No wonder Penn wanted to make wine at home,—his province imported four hundred thousand gallons of rum and sixty thousand gallons of wine a year, costing over fifty thousand pounds annually.

Penn's leading object in establishing fairs in Philadelphia and the province was to promote industrial enterprises. At the first fair in 1686 only ten dollars' worth of goods was sold. There was no money in Philadelphia and exchanges could not be made. The fairs were held twice a year, three days each in May and November. Another plan of Penn's was to offer prizes for superior work in manufactures. In 1686, Abraham Op den Graaffe, of Germantown, petitioned Council to grant him the Governor's premium for "the first and finest piece of linen cloth." About the same time Wigart Levering, one of the Germantown colonists, began weaving in Roxborough. Matthew Houlgate, in 1698, bought property in the same township and began a fulling-mill on the Wissahickon. The price in 1688 for spinning worsted and linen was two shillings per pound; knitting heavy yarn stockings, half a crown per pair. Wool-combers received twelve pence per pound; linen-weavers twelve pence per yard of stuff half a yard wide; journeyman tailors were paid twelve shillings a week and "their diet." The domestic manufactures of the day in linen and woollen wear supplied a large part of family wants. Fabrics were coarse but serviceable; and the women of the household, after the men had broke and hackled the flax and sheared the sheep, did all the subsequent work of carding, spinning, weaving, bleaching and dyeing. While wages were good, the clothes of apprentices and laborers were not expensive. Leather shoes with brass buckles and wooden heels lasted as long almost as leather breeches and aprons. Hemp and flax Osnaburgs, dyed blue, cost only a shilling or

one and sixpence per yard, and a felt or wool hat and two or three pairs of coarse yarn stockings were good for two seasons. Wealthy people, who wore imported velvets, satins, silks and nankeens, however, had to pay extravagant prices for them, and the cost of a fashionable outfit often exceeded the money value of an eligible farm. The rapid increase of their "bestial" not only gave the planters a valuable line of exports, but also early encouraged the manufacture of leather. Penn and the Society of Free Traders established a tannery in Philadelphia in 1683 and it was well supplied both with bark and hides. Leather was in general use for articles of clothing, such as are now made of other goods. Penn himself wore leather stockings, for which he paid twenty-two shillings a pair. In 1695 the exportation of dressed and undressed deer-skins was prohibited, in order to promote their utilization at home. Raw hides cost one and a half pennies per pound, while leather sold for twelve pence. A fat cow went to the butcher for three pounds, while beef sold for from three to four and a half pence per pound,—a profit of over one hundred per cent. to butcher and tanner. But land was cheap, the Barbadoes market was always ready to pay well for cattle on the hoof, and these things secured good wages for labor in the mechanic arts. Curriers, who paid twenty pence a gallon for their oil, received three shillings and four pence a hide for dressing leather. Journeymen shoemakers were paid two shillings a pair for men's and women's shoes, and last-makers got ten shillings a dozen for lasts; heel-makers two shillings a dozen for wooden heels. Men's shoes sold for six shillings and sixpence and women's for five shillings per pair. Great skill and taste were displayed in the various makes of "white leather," soft leather and buckskin for domestic wear,—a branch of manufactures taken up by the Swedes in imitation of the Indians.

The mineral wealth of Pennsylvania, suspected by the Swedes, began to be revealed very early to the primitive settlers under the proprietary government. A Dutch colony is claimed to have worked iron in the Minnesink long before Penn came over, but there is nothing but tradition in regard to these pioneers. Penn wrote to Lord Keeper North, in 1683, that copper and iron had been found in divers places in the province. Gabriel Thomas speaks of the existence of iron-stone richer and less drossy than that of England; the copper, he says, "far exceeding ours, being richer, finer, and of a more glorious color." These "finds" were in Chester County, the seat of the earliest iron-works in the province. Thomas also mentions limestone, lodestone, isinglass, asbestos and amianthus. Blacksmiths earned high wages; one is mentioned who, with his negroes, by working up

old iron at sixpence per pound, earned fifty shillings a day. All the contemporary writers speak of the heavy charges for smith work, though there was no horse-shoeing to be done. Silversmiths got half a crown or three shillings per ounce for working up silver, "and for gold, equivalent." There was a furnace and forges at Durham, in Bucks, before the eighteenth century set in.

Where there was so much hand-work done, and so many things to be accomplished by mere manual labor, there was naturally not much call nor room for brain-work. The habits of the Swedes, the system and culture of the Society of Friends, were not particularly favorable to intellectual growth nor to education. Many more scholars, wits and learned men came to Pennsylvania in the first two generations than went out of it. The learned Swedish pastors were exotics, and their successors, from Campanius to Collins, had to be imported from the mother country. They did not grow up in the Delaware country. Nor did Penn's "wooden country" (as Samuel Keimer, Franklin's odd companion at the case, calls it) produce any parallels or equals to the university scholars, who, like Penn, the Lloyds, Logan, Growden, Shippen, Nicholas and John More, Pastorius, Wynne, White, Guest, Mompesson and others, devoted their talents and learning to the service of the infant Commonwealth. Penn himself, it was alleged in Council, on the trial of Bradford for the unlicensed printing of the charter and laws (a work which he was instigated to by Judge Growden), had taken the Virginia Governor Berkeley's rule for his pattern, and wished to discourage publications of all sorts. The learned and elegant professions, indeed, were not well nurtured in Pennsylvania's early days. In Goodson's inventory of occupations the "chirurgion" was put down between the barbers and the staymakers. Gabriel Thomas shows that the professions were contemned. "Of Lawyers and Physicians," he observes, "I shall say nothing, because this Country is very Peaceable and Healthy; long may it so continue and never have occasion for the Tongue of the one or the Pen of the other, both equally destructive to men's Estates and Lives." Where the sole source of divinity was "the Inner Light," cultivated persons were not to be looked for in the ministry; education was rather esteemed a hindrance than a help to the free and perfect expression of inspiration. It was a "snare" and a "device," like the steeple on the church's tower, the stained glass in its windows, like the organ in the choir, and the gowns and also the salaries and benefices of the clergymen.

There is really as little to say about the doctors and lawyers of the province as Thomas allows. The Dutch Annals mention surgeons of the name of Tykman Stidham and Jan Oosting,

another, William Van Rasenberg, who was called indifferently barber and surgeon, and Everts and Arent Pietersen. Three of these in three years received government pay to the amount of two thousand seven hundred and eighty-eight florins as physicians and "comforters of the sick." In the journal of Sluyter and Dankers, Otto Ernest Cock is called a physician, or rather "a late medicus." In addition to Drs. Thomas Wynne, Griffith Owen and Nicholas More, John Goodson was also a physician under Penn's government, and so was Edward Jones, founder of Merion, and son-in-law of Dr. Wynne. Dr. John Le Pierre, who was reputed to be an alchemist, came over about the same time as Penn. Dr. More did not practice his profession in the colony, but Griffith Owen was a regular physician from the date of his arrival. There were several other "chirurgions" among the "first purchasers," but it is not ascertained that any of them immigrated to the province. Doctors could not be well dispensed with, since, in addition to colds, consumptions and constant malarial disorders, the province was visited by three or four severe epidemics, including a fatal influenza which attacked all the settlements and colonies on the Atlantic, an outbreak of pleurisy which was noticeably destructive at Upland and New Castle, and a plague of yellow fever in Philadelphia in 1699. The smallpox likewise was a regular and terrible visitor of the coast, though its most fearful ravages were among the Indians.

The pioneer lawyer of Delaware was admitted to practice in 1676, at the session of the court held November 7th. The records of that day show that "upon the petition of Thomas Spry desiring that he might be admitted to plead some people's cases in court, etc, The Worppl Court have granted him Leave so Long as the Petitioner Behaves himself well and carrys himself answerable thereto."

In addition to Thomas Spry and others Charles Pickering appears to have been a member of the bar, as well as a planter on a large scale, a miner and copper and iron-worker, a manufacturer of adulterated coins, and a sort of warden of the territory in dispute between Penn and Lord Baltimore. Patrick Robinson, the recalcitrant clerk of Judge More's court, was an attorney, and Samuel Hersent was prosecuting attorney for the province in 1685, afterwards securing his election to the sheriffalty of Philadelphia. David Lloyd succeeded him as attorney-general, and distinguished himself in the controversies with Admiralty Judge Quarry. John Moore was the royal attorney in Quarry's court.

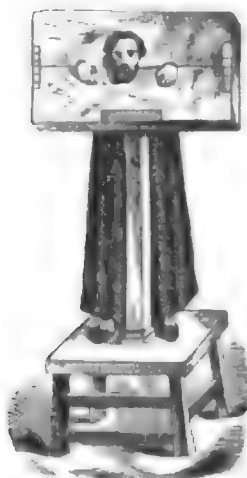
× These gentlemen of the bar found plenty of work to do. There were many disputed titles of

land, there was a great deal of collecting to do in the triangular trade between the province, the West Indies and the mother country, and there were numbers of personal issues and suits for assaults, libels, etc. Besides, while Penn himself did all he could to prevent litigations, the character of his laws necessarily called for the constant interference of the courts in affairs not properly their concern. There were many sumptuary laws, many restrictive ones, and the whole system was unpleasantly inquisitive and meddlesome. It kept up the same sort of obnoxious interference with private business and personal habits which made the Puritan system so intolerable, but its penalties had none of the Puritan's atrocious severity and bloodthirst. It must be confessed that the unorthodox person of gay temperament who sought to amuse himself in primitive Philadelphia was likely to have a hard time of it. The sailor who landed there on liberty after a tedious three months' cruise soon found that he was not at Wapping. The Quakers had learned to despise riot and debauchery, less perhaps because it was vicious and demoralizing than for the reason that it was offensive to their ingrained love of quiet and order and to their passion for thrift and economy. Wildness, sport, all the livelier amusements were abhorrent to them because they signified extravagance and waste. The skirts of their Christian charity, admirable, thoughtful and deep as that was, seemed never broad enough to embrace or condone prodigality. When the prodigal son came home to them the fatted calf was not killed, but the question was wonderingly and seriously asked (saving the oath) "*Mais, que diable allait-il faire dans cette galère?*" That was the way precisely in which they treated William Penn, Jr, when he was arrested for rioting and beating the watch in a tavern. Instead of excusing him for his youth and for his worthy father's sake, they accused him on that account, and the father's great character actually became a part of the body of the indictment against the profligate son. No wonder that the father should have cried in the bitterness of his heart: "See how much more easily the bad Friend's treatment of him stumbled him from the blessed truths than those he acknowledged to be good ones could prevail to keep him in possession of it."

In fact, all that was not exactly according to Quaker ways was narrowly looked upon as vice and to be suppressed. Christmas mumming was accused as flagrant licentiousness. Horse-racing was prevented by the grand jury. It offended the sobriety of the community for ships to fire salutes on arriving and departing. The laws against the small vices were so promiscuous and indiscriminate and the penalties so ill balanced that when the Pennsylvania code was finally presented to Queen

¹ Westcott's "History of Philadelphia," chap. III.

Anne for approval her ministers drew their pens through half the list of misdemeanors and penalties, for the reason that they "restrain her Majesty's subjects from innocent sports and diversions. However, if the Assembly of Pennsylvania shall pass an act for preventing of riotous sports, and for restraining such as are contrary to the laws of this kingdom, there will be no objection thereto, so it contains nothing else."¹ The character of these unnatural restraints is fully illustrated in certain "extracts from the records of Germantown Court" (1691 to 1707) and "presentments, petitions, etc., between 1702 and 1774."² For example, Peter Keurlis, charged with not coming when the justices sent for him, with refusing to lodge travelers, with selling barley-malt at four pence per quart, and with violating Germantown law by selling more than a gill of rum and a quart of beer every half-day to each individual. Peter's answers cover the whole case of the absurdity of such apron-string government. He did not come because he had much work to do; he did not



PILLORY.

entertain travelers, because he only sold drink and did not keep an ordinary; he knew nothing about the four-pence a quart law of the province, and as for the Germantown statute, the *people he sold to being able to bear more*, he could not, or would not, obey the law. The court, however, took his license away from him and forbade him to sell any drink, under penalty of £5. Oaths and charges of lying, when brought to the court's notice, if the offender acknowledged his fault and begged pardon, were "forgiven and laid by," the law making them finable offenses. Reinert Peters fined twenty shillings for calling the sheriff a liar and a rascal in open street. A case of Smith vs. Falkner was continued because the day when it was called "was the day wherein Herod slew the Innocents." George Muller, for his drunkenness, was condemned to five days' imprisonment; "item, to pay the Constable two shillings for serving the warrant in the case of his laying a wager to smoke above one hundred pipes in one day." Herman Dors, being drunk, called Trinke op den Graeff a naughty name, accused Peters of being too kind to Trinke, called his own sister a witch and another vile name, and said his children were thieves; brought before the court, "and there did particularly clear all and every one of the said injured

persons, who, upon his acknowledgments of the wrongs done them by him, freely forgave him," the court fined him five shilling. Peter Shoemaker, Jr., accuses the horses of John van der Willderness of being "unlawful," because they "go over the fence where it had its full height." The jury, however, found Shoemaker's fences to be "unlawful." The court orders that "none who hath no lot nor land in this corporation shall tye his horse or mare or any other cattle upon the fences or lands thereof, either by day or night, under the penalty of five shillings." Abraham op den Graeff is before court for slandering David Sherker, saying no honest man would be in his company. Verdict for defendant. "Nov. 28th, 1703, Daniel Falkner, coming into this Court, behaved himself very ill, *like one that was last night drunk, and not yet having recovered his wits.*" Falkner seemed so aggressive that the sheriff and constable were ordered to "bring him out," which was done, he crying, "You are all fools!" which, indeed, was not the remark of a drunken but a sober man. No court could continue to waste time in preposterous trivial proceedings of such sort without exhausting the patience of a community and making it impossible for people to avoid such outbursts as those of Falkner.

Among the grand jury presentments, etc., quoted in these papers, we find one against George Robinson, butcher, "for being a person of evell fame as a common swearer and a common drinker, and particularly upon the 23d day of this inst., for swearing three oaths in the market-place, and also for uttering two very bad curses the 26th day of this inst." Philip Gilbeck utters three curses also; presented and fined for terrifying "the Queen's liege people." John Smith, living in Strawberry Alley, presented "for being maskt or disguised in woman's aparell; walking openly through the streets of this citty from house to house on or about the 26th day of the 10th month [day after Christmas], *it being against the Law of God, the Law of this province and the Law of nature, to the staining of holy profession and Incoridging of wickedness in this place.*" All this against an innocent Christmas masquerade! Children and servants robbing orchards is presented as a "great abuse" and "licencious liberty," a "common nuisance" and "agreeviance." Such ridiculous exaggeration destroys the respect for law which alone secures obedience to it. John Joyce, Jr., is presented "for having to wives at once, which is boath against y^e Law of God and Man." Dorothy, wife of Richard Canterill, presented for masking in men's clothes the day after Christmas, "walking and dancing in the house of John Simes at 9 or 10 o'clock at night,"—not even charged with being in the street! Sarah Stiner, same offense, but on the streets, "dressed in man's

¹ Privy Council to Governor on repealing certain laws, Pennsylvania Archives, 1709, vol. i, p. 155, First Series.

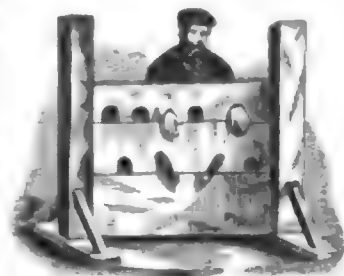
² Published in Volume First of Collections of the Pennsylvania Historical Society, pp. 243-258 et seq.

Cloathes, contrary to y^e nature of her sects . . . to y^e grate Disturbance of well-minded persons, and incorridging of vice in this place." John Simes, who gave the masquerade party, is presented for keeping a disorderly house, "a nursery to Debotch y^e inhabitants and youth of this city . . . to y^e Greef of and disturbance of peaceable minds and *propigating ye Throne of wickedness amongst us.*" Peter Evans, gentleman, presented for sending a challenge to Francis Phillipa to fight with swords.¹ The grand jury report that their predecessors having frequently before presented the necessity of a ducking-stool and house of correction² "for the just punishment of scolding, Drunken Women, as well as Divers other profligate and Unruly persons in this place, who are become a Publick Nuisance and disturbance to this Town in Generall, Therefore we, the Present Grand Jury, do Earnestly again present the same to this Court of Quarter Sessions for the City, desiring their immediate Care. That *those public Conveniences* may not be any longer delay'd." Certainly it is a novel idea to class ducking-stools and houses of correction among "public conveniences." There are three successive presentments to this effect. The grand jury also present negroes for noisy assemblages in the streets on Sunday, and think that they ought to be forbidden to walk the streets in company after dark without their master's leave. Mary, wife of John Austin, the cordwainer, is presented because she was and yet is a common scold, "a Comon and public disturber, And Strife and Debate amongst her Neighbours, a Common Sower and Mover, To the great Disturbance of the Liege Subjects," etc. In spite of all these presentments and indictments, however, and especially those against drunkenness and tippling-houses, we find in a presentment drawn by Benjamin Franklin in 1744 that these houses, the "Nurseries of Vice and Debauchery," are on the increase. The bill says there were upwards of one hundred licensed retail liquor-houses in the city, which, with the small groceries, "make by our computation near a tenth part of the city, a Proportion that appears to us much too great." One place, where these houses are thickest, has "ob-

tained among the common People the shocking name of *Hell-town.*"

The first few years of the eighteenth century did not bring much change in the mode of life or the costume of the Delawareans, but they brought much improvement in their dwellings. In Wilmington and other large towns of Delaware many new houses were built of brick, and some two or three stories high. Some of these houses had a balcony, usually a front porch, a feature of vast importance in house-building, for it became customary in the large towns for the ladies of the family in pleasant weather to sit on the porch, after the labor of the day was over, and spend the evening in social converse. In those early days when the sun went down the young ladies were dressed and ready for the porch parade: then neighbors came for a chat about those engrossing subjects, dress and housekeeping; friends called, and beaux strutted by in powdered wigs, swords, square-cut coats, tights and leather or silk stockings, running the gauntlet of all those bright eyes in order to lift the three-cornered hat to some particular fair one, and to dream about the sweet smile received in return. If we are to believe the old chronicles, love-making was a very tame affair in those days. Young ladies received company with their mammas, and the

bashful lover, in the presence of the old folks, had to resort to tender glances and softly-whispered vows. Marriages were ordered promulgated by affixing the intentions of the parties on the court-house and meeting-house doors, and when the act was solemnized, they were required by law to have at least twelve subscribing witnesses. The wedding entertainments must have been more of a nuisance than a pleasure, either for the parents or the young couple. They were inspired by a conception of unbounded hospitality, very common at that time. Even the Quakers accepted them with good grace until the evil consequences of free drinking on those occasions compelled them to counsel more moderation. There was feasting during the whole day, and for the two following days punch was dealt out *ad libitum* to all comers. The gentlemen invited to partake of these libations were received by the groom on the first floor; then they ascended to the second floor, where they found the bride surrounded by her bridesmaids, and every one of the said gentlemen, be they one hundred, kissed the bride. There was a quaint custom in those days of turning off marriage notices with some remark complimentary



STOCKS.

¹ Evans' challenge was as follows: "Sir: You have basely slandered a Gentlewoman that I have a profound respect for, And for my part shall give you a fair opportunity to defend yourself to-morrow morning, on the west side of Joa. Carpenter's Garden, betwixt seven and 8, where I shall expect to meet you, *Gladio cinctus*, in failure whereof depend upon the usage you deserve from yr. etc.

"PETER EVANS.

"I am at y^e Pewter Platter."

Phillips appears to have been arrested, for the grand jury present him for contriving to "deprive, annihilate and condemn" the authority of mayor and recorder by saying, "Tell the mayor, Robert Hill, and the recorder, Robert Amsheton, that I say they are no better than Rogues, Villains and Scoundrells, for they have not done me justice, and might as well have sent a man to pick my pocket or rob my house as to have taken away my servants," etc.

² The whipping-post, pillory, and stocks were the usual instruments for punishment.

to the bride, as follows: "Mr. Levi Hollingsworth to Miss Hannah Paschall, daughter of Mr. Stephen Paschall, a young lady whose amiable disposition and eminent mental accomplishments add dignity to her agreeable person."

When the Revolution broke out, Miss Sally McKean was one "among the constellation of beauties of Delaware." She was the daughter of Thomas McKean and was remarkable for her beauty. She married Don Carlos Martinez, Marquis D'Yrujo; her son, the Duke of Sotomayer, who was born in Philadelphia, became prime minister of Spain.

At Mrs. Washington's first levee, in Philadelphia, she was greatly admired, and the immense wealth at her command, after she was married,



THE MARCHIONESS D'YRUJO (SALLY MCKEAN).

enabled her to maintain a style of life, without which beauty alone stood only a slight chance of recognition. Her beauty, rank, and wealth, conspired to draw around her a circle of men and women of the very first class in elegance and accomplishment. After her father removed to Philadelphia, she lived with an elegant hospitality, and numbered among her intimates the belles of the Republican Court, Mrs. William Bingham (Anne Willing), Margaret Shippen (Mrs. Gen. Arnold), Misses Allen, Mrs. Robert Morris, Dolly Payne (Mrs. Madison), Margaret, Sophia and Harriet Chew, Martha Jefferson, Mrs. Dr. James Rush, Mrs. Gen. Henry Knox, Rebecca Franks, Mrs. Esther Reed, Mrs. Sally Bache and a host of others. One of her dearest friends was Miss Harriet Chew, who afterwards married Charles

Carroll, Jr., of Maryland. Washington was a great admirer of her, and she accompanied him several times when he sat to Gilbert Stuart for his famous portrait. The great commander was wont to say that the agreeable expression on his face was due to her interesting conversation. She and Mrs. Bradford, the wife of the Attorney General of the United States, were the last surviving ladies of the Republican Court.

In winter, company was received in the sitting room, which might as well be styled the living room, for the many purposes it served. They dined in it, and sometimes slept in it. The furniture and general arrangement of the room was of the simplest kind; settees with stiff, high backs, one or two large tables of pine or of maple, a high, deep chest of drawers containing the wearing apparel of the family and a corner cupboard in which the plate and china were displayed, constituted a very satisfactory set of parlor furniture in the early part of the eighteenth century,—sofas and side-boards were not then in use, nor were carpets. The floor was sanded, the walls white-washed, and the wide mantel of the open fireplace was of wood. The windows admitted light thorough small panes of glass set in leaden frames. A few small pictures painted on glass and a looking-glass with a small carved border adorned the walls.

Wealthier people had damask-covered couches instead of settees, and their furniture was of oak or mahogany, but in the same plain, stiff style. They used china cups and saucers, delft-ware from England, and massive silver waiters, bowls and tankards. Plated-ware was unknown, and those who could not afford the "real article" were content to use pewter plates and dishes. Not a few ate from wooden trenchers. Lamps were scarcely known. Dipped candles in brass candlesticks gave sufficient light at night. Carpets, introduced in 1750, did not come speedily into general use, as they were expensive articles, and not very common in English households. They were made to cover the centre of the floor, the chairs and tables not resting on, but around them. Curtains of a richer material, mantel glasses and candelabra made their appearance in the parlor. Low bedsteads, of solid, carved mahogany, found their way to the chamber, although they did not supersede, to any extent, the popular beds long in use. Paper "for the lining of rooms" was advertised by Charles Hargraves in 1745. Paper-hangings and *papier-maché* work was manufactured in Philadelphia in 1769, and it is likely that between 1750 and 1760 there were a number of houses in Delaware where wall-paper had taken the place of the primitive whitewash.

Among the higher classes hospitality and good feeling reigned. The large mahogany or pine table

often groaned under the weight of the viands spread out in welcome of some friendly guests. The punch-bowl was a fixture, even in the Quaker's house, and it was not deemed a crime to enjoy a social glass. We may even admit that our old citizens were hard drinkers, which is far from meaning that they were drunkards. They were sensible enough to distinguish use from abuse, and temperance societies were unknown. Entertainments were frequently given, at which conviviality sometimes exceeded the bounds.

The amusements of the people were for many years of the simplest and most innocent kind. Riding, swimming and skating afforded pleasant out-door sport. Before the Revolution such barbarous amusements as cock-fighting, bull-baiting, boxing-matches and bear-baiting were frequently indulged in, especially cock-fighting, in which men of the highest respectability found pleasure. Billiards was a game much in vogue, though frequently denounced as gambling. Bowls, ten-pins, quoit-throwing, bullets or "long bowls," the shuffle-board, with its heavy weights to be shoved or "shuffled" with a strong hand, guided by a cunning eye, were games which attracted crowds of visitors to the inns and public gardens. Among the other entertainments were concerts, fire-works, dancing and traveling shows. Dancing was freely indulged in, although not countenanced by the Friends. Dancing-masters visited Wilmington and the larger towns occasionally, giving the gay people an opportunity to learn the latest fashionable dance. Much attention was also paid to music, principally of a sacred character. The polished society of those days had no visiting or blank cards. Invitations to a ball or party were printed or written on the backs of playing cards. The most elaborate invitation was that gotten up for Lord Howe's *Meschinza fete*, at Philadelphia, May 18, 1778. They were engraved, the design being, "in a shield, a view of the sea, with the setting sun, and on a wreath the words '*Luceo discedens, aucto splendore resurgam.*' At the top was the general's crest, with '*vive, vale!*' All around the shield ran a vignette, and various military trophies filled up the ground."

In the early part of the century some very odd performances could be seen on the streets in Wilmington on Christmas-eve and during Christmas week. Parties of "mummers" went round from house to house, reciting rhymes explanatory of their fantastical disguises, and demanding "dole." The custom, which came from England, prevailed in the early part of the present century, as is remembered by the old inhabitants. These "mummeries," however, did not find favor with all the people. In fact, Christmas itself was not generally observed. The Quakers did not incline to the commemoration of holidays, nor did the more rigid of the Protest-

ant sects, especially the Presbyterians. To the Episcopalians, the Catholics and the Germans of the Reformed or Lutheran Churches it was a day for family reunions and social gatherings as well as religious festival. The Germans introduced the Christmas-tree, with toys, trinkets, figures of angels and numerous little lighted tapers,—a pretty custom with which many American families have since become familiar.

For some years after the Revolution, in fact as late as the War of 1812, the old English festival of May-day was kept by certain classes of people. Although spring flowers are not suggestive of fish, May-day was the special holiday of the fish hucksters and shad fishermen. They met in the inns and taverns, where they indulged in much jollification and dancing, while Maying parties, composed



MRS. CHARLES CARROLL, JR. (HARRIET CHEW).

principally of young men and young women, left the borough in the early morning to spend the day in the fields and woods. May-poles were erected in front of the taverns, around which there was much dancing.

Two other anniversaries, dear to every American heart, were celebrated with fitting enthusiasm in the early days of the Republic,—Washington's Birthday and the Fourth of July; but these are gradually and quietly sinking into oblivion.

In olden times, such a thing as the modern hotel, like the Clayton House in Wilmington, with its fashionably dressed and all-important clerk, its large smoking-room, carpeted parlors, gilt mouldings and other luxurious appointments, was unknown. The modest inn accommodated "man and

beast," and the jolly landlord welcomed the wearied traveler—and fleeced him, too, when the occasion offered—and an active, bright-eyed barmaid waited on him, and provided those simple comforts—a pipe, a pair of slippers, a glass of hot punch or a tankard of foaming ale and a cosy corner near the tap-room fire. If the cloth was coarse, it was generally white and clean, at least in respectable establishments, and the plain deal table groaned under the weight of viands which, if they presented no great variety, were well cooked and wholesome. Our fathers were great eaters and stout drinkers, and there was no need of a French *menu* and wines with high-sounding names to whet their appetites; roast beef, a leg of mutton, ham and cabbage, a fat fowl, were the solid dishes laid before them; ale, port or madeira wine, and a glass of Jamaica rum and hot water to



CREAM POT PRESENTED TO HENRY HILL BY BENJAMIN FRANKLIN.

Motto—"Keep Bright the Chain."

top off, left them in a pretty good condition to find sleep on the clean bed,—sometimes a hard one,—prepared for them in the small room, whose bare floors, whitewashed walls, and plain cotton curtains did not invite dreams of palatial splendors.

The tavern, though it accommodated guests with bed and board, had more of the character of a drinking-house. The inn was rural in its origin; the tavern originated in the city, and was frequented not merely by toppers and revelers, but by quiet citizens, bachelors having no fireside of their own, and men of family who went there to meet neighbors and discuss business or the news, while enjoying a quiet glass and pipe. The ordinary was an eating-house, something between the restaurant and the boarding-house of our day. The coffee-houses, so called, which dispensed intoxicating drinks as well as the fragrant decoction of the Arabian bean, made their appearance later;

they were but taverns in an aristocratic disguise.

The names and figures of certain animals were to be found on many signs. They seemed to have been specially adopted by inn-keepers in America as well as in England. The "white horse" and the "black horse," "black" and "white bears"; lions, red, white, and blue; bulls and bull's heads were very common. But there were other subjects of a more local or national interest, and a still greater number presenting quaint devices, the whimsical creations of the sign-painter, and generally accompanied by some suggestive doggerel rhymes. The sign-painter of olden time was often an artist of no small merit.

Stores in Wilmington were quite numerous, and the goods offered for sale in great variety. The old European practice of over-hanging signs, bearing some device symbolic of the owner's trade, or often some fanciful name having not the slightest connection with it, always prevailed in the colonies.

The shade-trees that embellished the principal streets of Wilmington in those days were the buttonwood and the willow. The Lombardy poplar was introduced from Europe in 1786-87, by Wm. Hamilton. While the grounds of some of the largest mansions in Delaware could boast of rare flowers and shrubbery, the gardens in Wilmington—almost every house had its garden—were bright only with the simple, old-time favorites so neglected in these days of horticultural wonders,—the lilac, the rose, the snow-ball, the lily, the pink and tulip; above which the solemn sunflower and rank hollyhock lifted their tall heads. Morning-glories and gourd-vines climbed over the porch or shaded the summer arbor. Every house, generally, had its well. Public pumps were not numerous for some years. There were no public clocks to be consulted on the streets, but sun-dials were affixed to the walls of many houses for general convenience, as few people carried watches then. They were generally of silver, of very large size, and were worn outside. A French fashion, which prevailed only among a few, was the wearing of two watches, one on each side, with a steel or silver chain, from which dangled a bunch of watch-keys, seals and bright-colored tropical seeds set like precious stones. Jewelry, of which the ladies made a brilliant display, was but little worn by men.

Very few Delawareans kept a carriage in the olden time, and even hired vehicles were scarce; traveling was done principally on horseback. Watson says in those days "merchants and professional gentlemen were quite content to keep a one-horse chair. These had none of the present trappings of silver-plate, nor were the chair-bodies varnished; plain paint alone adorned them, and

brass rings and buckles were all the ornaments found on the harness; the chairs were without springs or leather bands, such as could now (1842) be made for fifty dollars." The carriage used by Gen. Washington while President, which had been imported for Governor Richard Penn and which passed through Wilmington several times, was the most splendid ever seen in Delaware. It was very large and heavy, and was drawn by four horses. It was of cream-color, with much more of gilded carvings in the frame than is since used. Its strongest attractions were the relief ornaments on the panels, they being painted with medallion pictures of playing cupids, or naked children.

Owing to the want of good roads, the travel in Delaware in the early days was exceedingly difficult. In going to church or to fairs, the custom was, as it existed in Europe at that time, for man and woman to ride the same horse, the woman sitting on a pillion behind the man. It was a long time before chaises or any kind of pleasure vehicles came into use. The wagons, made to carry heavy loads of produce and merchandise, were great, cumbersome things with enormous wheels, which went creaking along at such a pace as precluded all thoughts of an enjoyable ride. The dress of the early Delawareans was necessarily simple, made of strong and coarse material that could resist the hard usage to which it was put. Men could not sew trees, build houses and drive the plough in velvet coats and satin breeches, nor could their wives and daughters bake and scrub and sweep with their hair "frizzled, crisped and tortured into wreaths and borders, and underpropped with forks, wires, etc.," and flounced and furbelowed gowns. Coarse cloth and deer skins for the men, linseys and worsteds for the women, were of every-day use; the "Sunday-go-to-meeting" clothes were carefully preserved in the huge chest of drawers that contained the family apparel. There was little difference between the dress of the Quakers and that of the remainder of the people. The former's adoption at a later date of a more formal costume of sober color was an effort to resist the extravagances of fashion, which had penetrated into the far-distant colony, making its belles and beaux a distorted counterfeit of the beffuddled and gilded courtiers of Queen Anne's or George I's times.

But fashion is a mighty ruler, against which it is useless to rebel. The greatest men—thinkers, poets, philosophers and soldiers—have bowed to her decrees, and made themselves appear ridiculous to please "*Monsieur Tout le Monde*," as the Frenchman said. As for the ladies, whom they wish to please is a mystery, for have they not from the oldest time to the present day often accepted the most unbecoming style of dress and coiffures, despite the protests of their male admirers? They must have a more laudable object than exciting

admiration, and their apparent fickleness of taste conceals, perhaps, a charitable desire to comfort such of their sisters to whom nature has not vouchsafed perfect symmetry of form or feature. A woman of high rank has very large feet, and to conceal them, she wears a long dress; immediately the prettiest little feet hide themselves; a lady of the British court had one of her beautiful shoulders disfigured by a wart; she concealed the unpleasant blemish by means of a small patch of black sticking-plaster; soon black patches were seen on every woman's shoulders; thence they crept to the face, and were seen, cut in most fantastic shapes, on the chin, the cheeks, the forehead; the tip of the nose was the only place respected. An *infanta* of Spain had the misfortune of being born with one hip higher than the other; to conceal this defect, a garment symmetrically distended by



MICHIANZA TICKET.

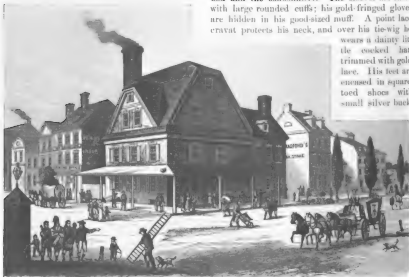
wires was invented, and forthwith all the ladies wore hoops. Louis XIV., of France, whose neck was not the straightest, introduced the large wigs with curls descending half-way down the back and covering the shoulders; then men, as a matter of course, adopted the cumbersome head-gear. The women were loth to conceal their shoulders, so, after a time, they found a means of making quite as extravagant a display of their hair; they built it up in an immense pyramid, so high, at one time, that a woman's face seemed to be placed in the middle of her body. A lady of diminutive stature, finding that this upper structure was disproportionate to her size, had wooden heels, six inches high, adapted to her shoes; all the women learned to walk on their toes, and the tall ones looked like giantesses. An old magazine publishes the doleful tale of a gentleman who, having married a well-proportioned lady, discovered, when

she apperend in *deshabille*, that he was wedded to a dwarf. That old rake, the Duke de Richelieu,—the fit companion of the dissolute Louis XV.,—having grown gray, was the first to use powder over his hoary locks, and for fifty years all Europe powdered the hair with flour or starch. Even the soldiers had to be in the fashion, and some curious economist once made the calculation that, inasmuch as the military forces of England and the colonies were, including cavalry, infantry, militia and fencibles, two hundred and fifty thousand, and each man used a pound of flour per week, the quantity consumed in this way was six thousand five hundred tons per an-

wrist. Her hair, no longer propped up by wires and cushions, drops in natural curls upon her neck. A light silk hood of the then fashionable cherry color protects her head. The useful parasol was not yet known, but she carries a pretty fan, which, when folded, is round like a marshal's baton.

The gentleman walks by her side, but is precluded from offering her the support of his arm by the amplitude of her skirts, and of his own as well, for his square-cut coat of lavender silk is stiffened out at the skirts with wire and buckram; it is opened so as to show the long-flapped waistcoat with wide pockets, wherein to carry the snuff-box and the *bouhonniere*. The sleeves are short with large rounded cuffs; his gold-fringed gloves are hidden in his good-sized muff. A point lace cravat protects his neck, and over his tie-wig he

wears a dainty little cocked hat, trimmed with gold lace. His feet are encased in square-toed shoes with small silver buck-



VIEW OF THE FAMOUS "OLD LONDON COFFEE-HOUSE," PHILADELPHIA, SOUTHWEST CORNER OF FRONT AND MARKET STREETS.

num—capable of sustaining fifty thousand persons on bread, and providing three million, fifty-nine thousand three hundred and fifty-three quatern loaves!

A pen picture of a fashionable couple walking in the streets of Wilmington long before the Revolution would be as follows:

The lady trips lightly on her dainty little feet, encased in satin slippers. Her bouneed silk petticoat is so distended by the recently introduced hoops that it is a mystery how she can pass through an ordinary-sized doorway; her tightly-laced stomach is richly ornamented with gold braid, the sleeves are short, but edged with wide point lace, which falls in graceful folds near to the slender

les. His partridge-silk stockings reach above the knee, where they meet his light-blue silk breeches.

At a respectful distance behind comes the gentleman's valet and the lady's maid. He wears a black hat, a brown-colored coat, a striped waistcoat with brass buttons, leather breeches, and worsted stockings, stout shoes with brass buckles. The abigail's dress is of huckaback, made short, the skirts not so distended as those of her mistress, yet are puffed out in humble imitation of the fashion. A bright apron and silk neckerchief and a neat cap give a touch of smartness to the plain costume.

Here comes a worthy tradesman and his buxom wife. His coat, of stout, gray cloth, is trimmed

with black. His gray waist-coat half conceals his serviceable breeches; worsted stockings and leather shoes protect his legs and feet. The good dame by his side has put on her chintz dress, and though the material is not as costly as that worn by the fine lady before her, it is made up in the fashionable style, and the indispensable hoops add to the natural rotundity of the wearer. A peculiarity in her costume is the check apron that spreads down from her stomacher, concealing the bright petticoat.

The simplicity of apparel was the rule, the costly style previously described the exception. Very ordinary material was still used among Delawareans, and articles of clothing were considered so valuable as to be, in many instances, special objects of bequest. Henry Furnis, who died in 1701, bequeathed to one of his daughters his leather coat, leather waist-coat, his black hat and cap. To another daughter he left his blue waist-coat, leather breeches and muslin neck-cloth; and to another daughter a new drugget coat.

The wigs held their own until after the return of Braddock's army. The hair was then allowed to grow, and was either plaited or clubbed behind, or it was grown in a black silk bag, adorned with a large black rose. From this it dwindled down to the queer little "pigtail," which, not many years past, could be seen bobbing up and down on the high coat-collar of some old gentleman of the last generation.

Stiff, high-backed chairs and settees, a stiff style of dress, - for the hooped petticoat and wired coat-skirt carry with them no idea of graceful ease, - must have given the manners a tendency to stiffness. The stately minuet was, very appropriately, the fashionable dance of the day, at least among what was called "the politer classes;" the "common people," that is the great social body not comprised in that upper-tendom, did not follow the fashion so closely, and enjoyed merrier dances, the favorite among which was the "hipsesaw." In 1742 there were no material changes in the ladies' dresses, the hoop still maintaining its hold, as also the furbelows; the robe was made low in front, the upper part of the stomacher and the short sleeves edged with point lace. Aprons were in fashion, and were worn sometimes long and at other times short, exposing the richly-embroidered petticoat. Capuchin hoods were in style. But the greatest change was in the dressing of the hair. The simple and elegant coiffure of natural curls already described was in vogue only a few years. The old style of building up the hair in a high pyramid suddenly reappeared with still more exaggerated proportions. The hair was carried up over wire frameworks, stiffened with pomade, sprinkled with powder and formed a bewildering edifice adorned with curls, flowers and feathers. Sometimes a sort of a little hat was

perched on the apex of this wondrous structure. How our grandmothers ever had the patience to sit three or four hours under the manipulations of the hair-dresser, and how they could move, walk and dance with such a load on their cranium, is the wonder of their granddaughters. Jewels, rich bracelets, necklaces and chains were much worn. It was the fashion for a lady to carry a costly gold snuff-box with a looking-glass inside the lid; as she opened the box to take or offer a pinch, she could cast a surreptitious glance at her fair visage and see if her rouge was not coming off, and if her "beauty spots," i.e., patches, were still in the right place.

When we read of the polished society of those days, of their elegant dresses, their jewels and laces and inimitable fashions, we cannot help thinking of one or two things which they did not have, things the poorest woman of our day could not do without. Tooth brushes, until quite recently, were unknown, and the fairest lady rubbed her teeth with a rag which, *horresco referens*, she dipped in snuff! Mr. Watson, the annalist, speaking of Dr. Le Mayeur, a dentist, who proposed in 1784 to transport teeth, says: "This was quite a novelty



A BELLE OF THE REVOLUTION.
(From a drawing by Major André.)

in Philadelphia; the present care of the teeth was ill understood then. He had, however, great success in Philadelphia, and went off with a great deal of our patricians' money. Several very respectable ladies had them implanted. I remember some curious anecdotes of some cases. One of the Meschianza belles had such teeth. They were, in some cases, two months before they could eat with them." In 1769, "Mr. Hamilton, surgeon, dentist and operator for the teeth, from London," advertises that he "displaces all superfluous teeth and stumps with the greatest ease and safety, and makes and sets in artificial teeth from one single tooth to a whole set, in so nice a manner that they cannot be distinguished from natural; therefore, those ladies

and gentlemen who have had the misfortune of losing their teeth, have now an opportunity of having *natural* or artificial put in with dispatch and secrecy, and in such manner as to be of real use, ornament and service for many years, without giving the least pain to the patient."

There were few hired servants in those days; menial labor was done by black slaves, and German, English and Irish redemptioners. Slavery was not repugnant to our forefathers' notions of justice; it was admitted even by the Quakers.¹

But the slaves of Delaware and Pennsylvania were happy; harsh treatment was not countenanced by public opinion. Servants were regarded as forming an integral part of the family, and proper attention paid to their comforts.

Peter Kalm, the Swedish traveler, who came to Pennsylvania and Delaware in 1748, seems to have thoroughly investigated the question of

Just Imported in the Ship **GRANBY**, JOSEPH BLEWER
Master,

Seventy *Gold-Coast* SLAVES

of various ages, and both sexes,

To be sold on board said ship at Mr. Plumsted's wharf, by

WILLING and MORRIS,

And a part of them are intended to be sent in a few days to Dook Creek, there to be sold, by Mr. Thomas Mudock for cash or country produce,
Penn^a Jour. Aug 15 1765.

ADVERTISEMENT.

servants. . He says that there were two classes of white servants; the first were quite free to serve by the year. They could even leave their masters

¹ The ship "Gideon" arrived at New Amsterdam, from Africa, with 299 slaves on board about August, 1663, one-fourth of which belonged to New Amstel. The Delaware portion were hastily run in gangs through New Jersey, overland to South River, by Alricks and narrowly escaped capture by the English. Vincent says "this was the first introduction of slaves into Delaware, from Africa, by direct importation, of which we have any record." Slaves were, however, on the South River from its earliest settlement.

Mr. Janney, in his "Life of Penn," is greatly distressed that the proprietary should have been a slave-holder. In his eagerness to palliate the facts he is in danger of doing Penn a gross injustice. He forgets that slave-holding was not forbidden by the Quaker discipline until many years after Penn's death. Penn directed his slaves to be free at his death, but the will was never executed, nor were its provisions respected. His daughter took one of the slaves, the woman "Sue." His executor sold three to pay his debts. Parthena was sold by Penn to Barbadoes, thus separating her from her husband, because she was thought dishonest. In writing about his gardener and the assistants whom he was to train, Penn says, "It were better they were blacks, for then a man has them while he lives." In fact, nobody at that time had any idea of the heinousness, immorality or crime of slavery, unless perhaps the little German colony, who had Pastorius for their leader. Cox was "exclaimed" about the slaves, but it was not the fact of their being in bondage, but the way in which they were treated which troubled him. Penn was "exclaimed" on the same subject, and he went so far as to persuade the Council and try to persuade the Assembly to pass a law regulating the marriages of negroes. But it would be unjust to Penn to require him to become an abolitionist a hundred years before there were any such. Slavery was not thought a crime in his times, nor was the slave considered unfortunate, unless he happened to have a severe master. The slave trade with Africa was indeed repudiated, but rather from its impolicy than its immorality. Some sort of servitude was almost universal, and one-half the early settlers in Pennsylvania, 1682-83 were servants bought and sold by the Quakers for a term of years. Even Indian slaves were often to be met in Philadelphia, in spite of Penn's affection for the race, and his own Deputy-Governor, William Markham owned one, Eetus Frankson, born in 1700, who by his will was to be free at the age of twenty four, all his other slaves and servants being devised to his wife.

before the expiration of the twelve months; but in that case they were in danger of losing their wages. A man servant, having some abilities, got between sixteen and twenty pounds in Pennsylvania currency. This was in Philadelphia; the wages were not so good in the country. A maid servant received eight or ten pounds a year. These servants had to buy their own clothes. The second class consisted of such persons as came annually from Germany, England and other countries for the purpose of settling in the colony. Some were flying from oppression, others from religious persecution, but most of them were too poor to pay the six or eight pounds sterling required for their passage. They agreed with the captain that they would suffer themselves to be sold for a few years on their arrival. Very old people made arrangements to sell their children, in order to secure their own passage. Some could pay part of the passage-money, and were sold only for a short time. Some of the Germans, although having the means to pay their way, preferred to suffer themselves to be sold, with a view that during their servitude they might gain some knowledge of the language of the country and have time to decide what pursuits would be most advantageous. The average price of these servants was fourteen pounds for four years' servitude. The master was bound to feed and clothe his servant, and to present him with a new suit

of clothes at the end of his term of servitude. The English and Irish commonly sold themselves for four years, but the Germans frequently agreed with the captain to pay him a certain sum of money for a certain number of persons, and on their arrival in America, they tried to get a man to pay their passage for them, giving him in return one or several of their children to serve for a certain number of years. If the demand was brisk, they were thus able to make their bargain with the highest bidder.

The purchase of black servants involved too great an outlay of capital to be as general as that of white servants, and they were not held in large numbers by any one master.

The practice of importing "indentured servants" continued in force down to the Revolution, and although we find in the newspapers of the time, (1768-69) communications attacking and defending the enslaving of negroes, there seems to have been no objection to reducing white men to temporary slavery. Such advertisements as the following were not uncommon: "Just imported in the Brigantine . . . from Bristol, a parcel of healthy, likely men and women, indentured servants, among which are Blacksmiths, Cuttlers, House-carpenters, Painters and Glaziers, Bakers, Turners, Husbandmen and labourers." This was no longer the scum of the streets and jails of

London shipped to America by the authorities as a safe means of riddance and for "the better peopling of his majesty's colonies." Here we have honest artisans selling themselves voluntarily into servitude in order to get to the new land of promise. These poor fellows could be transferred by one master to another, and sold like common goods or chattels, until the term of their indentures had expired. But there were cases when the master, not the servant, deserved sympathy. The thieves and rascals of every grade, who came over under compulsion, or animated by the hope that they would find in the colonies a new field for their nefarious practices, gave no end of trouble to the unfortunate citizen who had invested his money in them; they were continually running away, and they generally carried off all they could lay their hands on.

Duels, so frequent in England at that time, were of very rare occurrence in Delaware, yet a few did take place. It is not surprising, therefore, that some attention should have been given to the art of fencing. All gentlemen who desired to be known as fashionable and polite members of society learned the use of the sword. Fencing-masters, therefore, traveled from town to town and found occupation as well as dancing-masters, although they were not at first received with favor. They were tolerated at an early day, and at a later day met with no opposition.

About 1760 gentlemen's costumes suffered a few alterations, and these for the better. The coat—no longer of velvet, silk or satin, except for full-dress, but of strong cloth—was square-cut, with some simple trimming and black lining; the long-flapped waistcoat descending very low, and the stockings drawn very high over the knee; large hanging cuffs to the coat sleeves, and lace ruffles. The skirts of the coat much less distended with wire; stockings of blue or scarlet silk; square-toed, short-quartered shoes, with high red heels and small buckles. All wore wigs, but of smaller size than before. The small three-cornered hat was laced with gold or silver galloon, and sometimes trimmed with feathers. In 1760 a peruke-maker advertised that "gentlemen may be completely furnished with bag-wigs of the neatest fashion, or of whatsoever fashion they choose; also scratch wigs and scratch bob wigs, cut wigs and long gristle-dress wigs, and all others, as gentlemen may choose."

In 1772 the following description of a "dude" was published in Philadelphia:

"It has a vast quantity of hair on its head, which seems to stand on

end and gives it the appearance of being frightened. The hair is loaded with powder and pomatum, all little enough, too, to keep any degree of life or heat in the few brains that are in small particles scattered about in the cavities of that soft skull it covers. The rest of it chiefly consists of French silk, gold lace, fringe, silk stockings, a hat and feather, and sometimes a cockade, and then it is quite irresistible. White hands, a diamond ring, a snuff-box, a scented handkerchief and a cane. Its employment is to present that snuff-box, to wield that cane, to show its white teeth in a perpetual grin, to say soft things in every sense of the word to ladies, to follow them everywhere like their shadow, and to fetch and carry like a spaniel."

The average citizen, at this time, however, was more modestly equipped. A recently-arrived Englishman is represented as wearing his hair tied behind, well dressed in a brown broadcloth coat, lapelled jacket, and breeches of the same material, a castor hat, brown stockings and shoes, with pinchbeck buckles, while a teacher, who had got himself in some trouble with the sheriff, is described as clad in a blue coat, with a red collar

This Day Run away from *John M^cComb, Junier*, an Indian Woman, about 17 Years of Age, Pitted in the face, of a middle Stature and Indifferent salt having on her a Drugat, Waistcoat and Kersey Petticoat, of a Light Colour. If any Person or Persons, shall bring the said Girl, to her said Master, shall be Rewarded for their Trouble to their Content

American weekly mercury May 24 1728

A Servant Maids Time for Four Years to be sold by *John Copson,*

Ditto Jan 2 1721.

A Very likely Negro Woman to be sold, aged about 28 Years, fit for Country or City Business, She can Card, Spin, Knit and Milk; and any other Country Work. Whoever has a Mind for the said Negro may repair to *Andrew Bradford* in Philadelphia.

A Young Negro Woman to be sold by *Samuel Kirk* in the Second Street, Philadelphia,

To be Sold, a very likely Negro Woman fit for all Manner of House Work, as Washing, Starching, Ironing, &c, Enquire of *Andrew Bradford,*

Ditto Oct 6 1791
Ditto Dec. 24. 1723

ADVERTISEMENTS.

and wristbands, sugar-loaf-shaped metal buttons, a blue surtout coat, Nivernais hat and ruffled shirt; he also wore his hair tied behind.

Broadcloths were to be had in such variety of colors as to please the most fastidious taste,—scarlet, crimson, blue, green, drab, black, white, buff, brown, light-colored and rose-colored.

Fops clung for some time to perukes, powdered heads and three-cornered hats. Elderly gentlemen of the old school were also loth to give them up, and as late as 1800 even wore the large wigs made of gray or white horse-hair. When they gave up these they consoled themselves in the use of the queue, or pigtail, formed by twisting and tying the natural hair behind, below the back of the neck. But the middle class followed the French republican fashion, and cut their hair à la Titus, —a shock head from the forehead to the back of

his neck. At a later period another French style was introduced—the hair combed down the forehead to within a short distance from the eyebrows and cut straight across, was allowed to grow long on the sides and back of the head, covering the ears, *en oreilles de chien*, as may be seen in the portraits of General Bonaparte.

The beard during all this time was banished from good society. The cheeks, upper and lower lips, and throat were carefully and laboriously deprived of their natural growth of beard once, twice or thrice a week, and, among the highly fashionable, every day. No gentleman could present himself with decency at church or at the Assembly, or visit friends or acquaintances, unless he was scrupulously shaved and was able to present a clean and respectable appearance.

The hats had narrow brims, and the crown tapered off toward the top, not unlike the Tyrolese hat, but less elegant. They were made of beaver or of the skins of the muskrat, the otter and the raccoon, these furs being used for body and all in the finer hats, or the fur was felted upon wool; coarser hats were made entirely of wool. The various furs were also used in the making of caps, or these were made of cloth; there were various shapes of caps.

As long as stockings continued to be an outside portion of the dress of gentlemen they were objects of care, and sometimes of pride. Upon occasions of ceremony, where elegance of costume was looked for, the stockings were of silk—white among young men who coveted distinction on account of the observance of the proprieties, and black among elderly gentlemen who commanded respect on account of age or social position. For those in moderate circumstances, and those who could make no claim beyond that of being useful members of the community, the stockings were of yarn, gray, blue or brown, according to the fancy of the good wife who knitted them. Striped yarn stockings, *à la mode de Paris*, were also worn with the short pantaloons not reaching to the ankles.

Low shoes, with metal buckles, remained in fashion until 1800, when they were succeeded by high boots, which were worn with the short breeches. A curious fact is that, until that time, there was no distinction made by shoemakers between the right and left feet. The following advertisement shows the fashions in 1800:

"Plover and snipe toes, cock and hen toes, goose and gander toes, duck and drake toes, gosling toes, hog and bear snouts, ox and cow mouths, shovel and stick noses, and others too numerous to mention." "Suwarrows, cossacks, hussars, carrios, double-tongues, firebuckets, Bonaparts, greaves, Swiss, hunting, walking, full dress, York."

In those days there was no such thing as our modern "blackening" or "shoe polish." Liquid

blackening was first manufactured in New York in 1803. "Blackball" was manufactured about the same time. It was composed of lampblack, mutton-suet, or bayberry tallow, and not unfrequently of the greasy mixture which the tanners call "dubbing." This mixture rubbed off upon the clothing, and when the modern shoe-blackening came into use, the benefit of it was universally recognized.

In 1771 the wits in the gazettes made fun of those effeminate individuals who used umbrellas to protect their heads against the fierce rays of a July sun. The umbrella, even as a shelter from rain, was a new article. They were heavy, clumsy things, made of oiled linen stretched over rattan sticks, in imitation of the "quittasol" (the predecessor of the parasol), which came from India, and were made of oiled silk in every variety of colors. The ladies used them to keep off the rain. The men were satisfied with the protection of a heavy cloak or a sort of cape (a French invention) called a *roquelaure*. Ministers and doctors, people who had to be out in all sorts of weather to call on the sick, had *roquelaures* of oiled linen. The usefulness of the umbrella during a shower was acknowledged, but its appearance in fair, sunshiny weather elicited the jeers of the populace and the mockery of men who should have been wiser. The doctors, however, recommended carrying an umbrella in summer as a safe protection against many diseases caused by exposure to the sun. The doctors and ministers finally carried the objectionable umbrella through the streets at mid-day, which finally silenced the opposition.

The lady's hat for out-door wear was a very flat, round hat, worn so as to stand up perpendicularly on the right side of the head, or rather of the immense edifice of hair reared high over the head, the back and crown of which was protected by a sort of loose hood. A cloak of some bright color was worn in winter. Scarlet cloaks, when first imported, were great favorites with the leaders of fashion, but public taste condemned them, and the mode did not last. We took our fashions from England, and the ladies of Delaware, as elsewhere in the colonies, were careful to follow the directions in the "London Pocket-Book," a manual of the period. This work said, "Every lady who wishes to dress her hair with taste and elegance should first purchase an elastic cushion exactly fitted to the head. Then having combed out her hair thoroughly, and *properly thickened it with powder and pomatum*, let her turn it over her cushion in the reigning model. Let her next divide the sides into divisions for curls, and adjust their number and size from the same models. If the hair be not of a sufficient length and thickness, it will be necessary to procure an addition to it, which is always to be had ready-made and matched to every color."



— MISS GORDON'S GRAVE —

[illegible]

The dress is suited for our floor wear was a very distinct one, with seams to stand up perpendicular on the right side of the head, or rather of the extreme edge of hair, reared high over the head, the back and crown of which was protected by a sort of lace hood. A cloud of the brightest was worn in which scarlet clouds, when depicted, were great favorites with the ladies here, but nature has condensed them, and made red not last. We took our fashions from England, and the ladies of Delaware, as elsewhere, in the country, were careful to follow the directions in the London Pocket Book, a miniature periodical. Thus we read, "Every lady who wishes to dress her hair with taste and elegance, should purchase an elastic comb, an exactly circular head. Then, having combed out the tresses, brush, and *press it with the comb, the hand and pinnet*, let her turn it over her ears, in the remaining mood. Let her not divide the tresses into sections for curls, and adjust them to a circular size, in the same manner. If the hair is short, and the length and thickness, it will be easy to procure an addition to it, which is, a somewhat ready-made and matched to every



EARLY COSTUMES AND HEAD-DRESSES 1789-1876.



EARLY HEAD-DRESSES 1776-1825.

[illegible][illegible]

The walking dresses of the natives were called *ta-ta-guay*, and closely fitted, of very plain make, with the collar, as it could be made, the bosom, and even extended to the upper skirt, and the shoulders were protected by a narrow or wide collar, crossed in front and turning round. The bonnet fit over the head like a cap, and the hair was twisted or curled on the back of the head, with a tuft of hair brought over the forehead, almost

The evening dress, which
style was more elaborate, and
had a much more womanly and
feminine ending in fitted and long
shoulders, her. The gown was
and a skirt. The dress was
of the skirt. Whether for
and a skirt. The dress was
and a skirt. The dress was

but a dress for street wear, and that of the sort of some other woman. I then fastened it in a place by a ribbon, of some color chosen. The hair was then combed and pinned up, and the face made up, the cheeks, if in exposure to the sun, were painted, and was a more comfortable, by being directed not to hang down both shoulders, but being fitted out with a shawl, sleeves kept put on buttoned, and bare arms in the street was a goodly sight directed by the

It came from the 13 pros-
ing within a bird you had
very dry and shiny, and
a little bit of the bird's
to correct this defect
fully filled the pores, and
of this costly man-

1. The first step is to identify the problem. This involves understanding the current situation, identifying the problem, and determining the goals of the project.

[illegible]

The following table shows the results of the regression analysis for the dependent variable $\ln(\text{GDP per capita})$ in 1995. The independent variables are $\ln(\text{GDP per capita})$ in 1980, $\ln(\text{GDP per capita})$ in 1985, $\ln(\text{GDP per capita})$ in 1990, $\ln(\text{GDP per capita})$ in 1995, $\ln(\text{GDP per capita})$ in 2000, $\ln(\text{GDP per capita})$ in 2005, $\ln(\text{GDP per capita})$ in 2010, $\ln(\text{GDP per capita})$ in 2015, $\ln(\text{GDP per capita})$ in 2020, $\ln(\text{GDP per capita})$ in 2025, $\ln(\text{GDP per capita})$ in 2030, $\ln(\text{GDP per capita})$ in 2035, $\ln(\text{GDP per capita})$ in 2040, $\ln(\text{GDP per capita})$ in 2045, $\ln(\text{GDP per capita})$ in 2050, $\ln(\text{GDP per capita})$ in 2055, $\ln(\text{GDP per capita})$ in 2060, $\ln(\text{GDP per capita})$ in 2065, $\ln(\text{GDP per capita})$ in 2070, $\ln(\text{GDP per capita})$ in 2075, $\ln(\text{GDP per capita})$ in 2080, $\ln(\text{GDP per capita})$ in 2085, $\ln(\text{GDP per capita})$ in 2090, $\ln(\text{GDP per capita})$ in 2095, $\ln(\text{GDP per capita})$ in 2100.

The first of these is the fact that the
 Journal is a very good example of a
 well-run, well-maintained, and well-
 edited journal. The second is the fact
 that the *Journal* is a very good
 example of a journal that is both
 interesting and informative. The third
 is the fact that the *Journal* is a very
 good example of a journal that is both
 well-written and well-organized. The
 fourth is the fact that the *Journal* is
 a very good example of a journal that
 is both well-maintained and well-
 edited. The fifth is the fact that the
 Journal is a very good example of a
 journal that is both well-run and
 well-maintained. The sixth is the fact
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 well-written and well-organized. The
 seventh is the fact that the *Journal*
 is a very good example of a journal
 that is both well-maintained and
 well-edited. The eighth is the fact
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 well-run and well-maintained. The
 ninth is the fact that the *Journal* is
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 is both well-written and well-
 organized. The tenth is the fact that
 the *Journal* is a very good example of
 a journal that is both well-maintained
 and well-edited.

inspired them to make a carefully chosen "statement" to depict the company as a responsible citizen. The company's response to the crisis was to be a carefully chosen "statement" to depict the company as a responsible citizen. The company's response to the crisis was to be a carefully chosen "statement" to depict the company as a responsible citizen.

[illegible]



BARLA 1881-1882-1883-1884-1885.

During the next ten years there was as many different styles of draping the hair. Curls, crisp or long, feathers, flowers and ribbons, powder and pomatum, each had their turn, or were combined into so many enormities that they aroused the poet's sarcasm,—

"Give Betsy a bushel of horse-hair and wool,
Of paste and pomatum a pound,
Ten yards of gay ribbon to deck her sweet skull,
And gauge to encompass it round.
Her cap flies behind, for a yard at the least,
And her curls meet just under her chin,
And those curls are supposed to keep up the jest,
By a hundred, instead of one pin."

In 1800 the walking dresses for ladies were in the style called *a la grecque*, a closely fitting garment of very plain make, with the waist as high up as it could be made; the bosoms, cut square, were gathered in surplice style, and the neck and shoulders were protected by a muslin or gauze handkerchief, crossed in front and forming a point beyond. The bonnet fitted as close to the head as a cap, and the hair was twisted or turned up high on the back of the head, while, in front, it was combed straight over the forehead, almost to the eyebrows. The evening dress, while preserving the style, was more elaborate; instead of the handkerchief a muffle was worn round the neck of the garment, descending in front and leaving the neck and shoulders bare. The hair was frizzled in front, and an ostrich plume fell with a graceful curve over the top-knot. Whether for walking or evening, the sleeves were short and gathered up with a band above the elbow, leaving the arms bare.

A very popular head dress for street wear in summer time was made of muslin or some other light material. It surmounted the head like a cap, and was kept in place by a ribbon of some gay color all round the crown. The light muslin, often bordered with lace, descended in graceful folds on either side of the face and on the back, protecting the neck from exposure to the sun. It was a becoming coiffure, and was further improved, after a short time, by being divided in the back and made to hang down both shoulders to the waist, the ends being finished off with a knot or tassel. The sleeves kept getting shorter, and the exposure of bare arms in the streets was disapproved by staid people and ridiculed by the wits.

A pretty fashion, introduced from France about this time, was that of carrying a rich lace handkerchief in the hand. It came from the Empress Josephine; that amiable woman had very bad teeth, and as she was very gay and easily provoked to laughter, when she laughed she raised her handkerchief to her mouth to conceal this defect. Josephine was passionately fond of fine laces, and her handkerchiefs were made of this costly fabric.

The ladies of the court took to flourishing lace handkerchiefs, and they became an indispensable part of a fashionable costume.

Very little has been said of the costumes of children. During a former period, as we have seen, they wore wigs, and, from all accounts, their costume made them the miniature "counterfeit presentments" of their papas and mammas.

A great abuse and evil of the burial customs at an early day, was the feasting, eating, and drinking among the persons attending on these occasions. When a person of high rank died the body was kept for several days "lying in state" for the public and their neighbors to come and look at it, and also to give time for the relatives who lived at a great distance to make the journey and be present at the funeral. These visitors had to be entertained, and in course of time what had been a matter of necessity became a general custom, and there was an entertainment at every funeral, be the deceased ever so obscure. The order of march at funerals was as follows: The parson walked before the bearers, and if the deceased was a woman, the ladies walked in procession next to the mourners, and the gentlemen followed after them. But this order was reversed if the deceased was a man; the gentlemen preceded the ladies. The practice of Friends was to take the body from the residence to the grave, where it was interred amid profound silence. After the burial the company adjourned to the meeting-house, where there was speaking and praying. A custom prevailed in 1773 at the funeral of young girls, that the coffin should be carried to the grave by some of the next intimate companions of the dead girl. The custom of issuing special invitations to persons to attend funerals prevailed, and such importance was attached to this mark of respect to be paid the dead, that funerals were delayed, if the parties invited did not arrive at the time appointed. The cards of invitation to funerals had deep mourning borders and other emblems of death. They were imported from England. In 1748 "burial biscuit" is advertised for sale by a baker in Philadelphia, a proof that the feasting at funerals even inspired the genius of speculation. To have "burial biscuits" to dip in their wine probably intensified the grief of the dear departed's friends. In 1729 the Quakers resolved against "the vanity and superstition of creating monuments and entombing the dead with singular notes or marks of distinction, which is but worldly pomp and grandeur, for no encomium nor pompous interment can add worth to the deceased." It ordered the erection of tombstones over the graves of Friends to be stopped, and the tombstones already so placed to be removed. This order, however, was not generally obeyed.

CHAPTER XIV.

DELAWARE DURING THE REVOLUTION.

FROM the close of the war between Great Britain and France to the Ante-Revolution epoch in which birth was being given to the forces that achieved American independence, the three counties upon the Delaware approximated the happy condition of the people of whom it may be said that they had no history. The peaceful current of their lives flowed on unbroken by events which their contemporaries thought worthy of record, and not even the journals of the legislature previous to the year 1762 were preserved. They were almost entirely an agricultural community, doing what little trading they required at New Castle and Philadelphia, and their politics were bound up in the strife between the "Court" party and the "Country" party. The leading members of the former were the Governor, the officers of government and the seekers after office; the latter was composed of those who desired an independent judiciary and impartial laws. It was to a certain extent a case of the people versus the official aristocracy, but the excitement that the contest afforded was of a tepid nature. Meantime the population of the three counties was steadily growing toward 37,500 inhabitants, which it attained in 1776, and a moderate prosperity was equally diffused throughout the embryo state.

From this condition of security and peace the Delawareans were rudely aroused in 1765 by the first of the great aggressions of the British government—the imposition of the stamp tax. To understand their attitude it is necessary to glance at their domestic relations. With the exception of the Swedish and Dutch element planted by the early settlers, they were purely English or of English descent. In Kent and Sussex they prided themselves upon the absence of foreign blood, and the admixture of it in New Castle was but slight. Here were strong reasons for a tenacious affection toward the mother country, whose hostile action had, moreover, less effect in the Delaware counties than in any of the contiguous communities. They were a peculiarly isolated people, the great mass of them living distant from the routes of travel; and having so little to do with the commerce of the day or with any industry outside of agriculture, the several taxation measures of Great Britain touched them only remotely. Living and clothing themselves from off their farms, even the stamp tax reached them only in their infrequent legal transactions, and as their tea was made mainly from the root of the *sassafras*, it was of no personal concern to them that the home government endeavored to thrust the foreign article down the

throats of other colonists. All their circumstances tended to the side of conservatism, and these facts must be kept in mind in any fair study of Delaware in the Revolution.

The stamp act was passed March 22, 1765, and the first authentic notice received of its passage came from Boston about May 9th. It became a matter of such absorbing interest that it dwarfed everything else. The people of Delaware, as in the other colonies, began at once to show their determination to make it a nullity so far as revenue was concerned. On May 30th, it was announced that John Hughes, a member of the Pennsylvania Assembly, and a partisan of Benjamin Franklin, was appointed distributor of stamps. The people burnt John Hughes' effigy, and in Philadelphia the citizens surrounded his house and threatened violence. He wrote to Governor John Penn, under date of September 17, and to John Dickinson, October 3rd, that he had not received either stamps, commission, bond or anything else informing him of his appointment. When the stamps reached New Castle, however, from England, he was afraid to take possession of them, as the people had threatened to tar and feather him, and destroy the vessel which had brought them to America. On October 5th, a mob surrounded his house in Philadelphia, and obtained a written pledge from him that he would not attempt to perform the functions of his new office.



BRITISH STAMP.

By the time the stamps arrived a course of action had been decided upon by the colonies. Virginia took the lead; James Otis, in Massachusetts, hit upon the plan of a general Congress of the Colonies, to meet in New York, the second Tuesday in November.

The patriotic sentiment of the people of Delaware was strong and manifested itself in response to the call of Massachusetts for a general Congress of the Colonies to consider the encroachments of Great Britain upon popular rights. It was impossible for the Delaware Assembly to meet in time to answer the summons, but the members in their several counties came together and appointed Thomas McKean, Caesar Rodney and Jacob Kollock to represent them in the Congress which met at New York in October 7th of that year. Mr. Kollock did not attend, but Messrs. McKean and Rodney were present at the sessions. They were instructed to join with the committees sent by the other provinces in one united and loyal petition to his Majesty and remonstrance to the British House

of Commons against the acts of Parliament and therein dutifully, yet most firmly, to assert the colonies' rights of exclusion from parliamentary taxation, and pray that they might not in any instance be stripped of the ancient and most valuable privilege of trial by their peers and most humbly to implore relief. McKean and Rodney distinguished themselves in this Congress by the boldness with which they advocated the American cause and took a prominent part in framing the memorials and the declaration of rights. On their return to Delaware they received the unanimous thanks of the Assembly for their faithful and judicious discharge of the trust reposed in them. Thus the people of Delaware had placed themselves on record regarding the fundamental principles that the colonies were not to be taxed without their consent, and that the colonists could not be taken to England for trial for any offenses.

In October, 1765, the merchants and traders of Delaware subscribed to a non-importation agreement, such as were then being signed all over the country. In this agreement the subscribers bound themselves, that in consequence of the late acts of Parliament and the injurious regulations accompanying them, and of the Stamp Act, etc., in justice to themselves and in hopes of benefit from their example, (1) To countermand all orders for English goods until the Stamp Act should be repealed; (2) a few necessary articles, or shipped under peculiar circumstances, are excepted; (3) no goods received for sale on commission to be disposed of until the Stamp Act should be repealed—and this agreement to be binding on each and all as a pledge of word of honor.

As the winter advanced into 1766, the public dissatisfaction augmented and the determination deepened to prevent, if possible, the enforcement of the hated act. Stamps were burned wherever found, and captains of vessels arriving learned that it was not safe either to keep or carry them. In February the people very generally signed an agreement not to eat or suffer to be killed any lamb or sheep until Jan. 1, 1767, and not to deal with butchers violating the compact. Economy and frugality were enforced by examples in high and low, and steadfast efforts made to promote the market for home manufactured goods.

Later in the same year (March 18, 1766) came the repeal of the Stamp Act by Parliament, and without forecasting the future the Assembly joined in the joy that pervaded America and appointed McKean, Rodney and George Read to frame an address to the King, in which these paragraphs occurred:

"We cannot help glorying in being the subjects of a King that has made the presentation of the civil and religious rights of his people and the established constitution the foundation and constant rule

of his government, and the safety, ease and prosperity of his people his chiefest care; of a King whose mild and equal administration is sensibly felt and enjoyed in the remotest part of his dominions. The clouds which lately hung over America are dissipated. Our complaints have been heard and our grievances redressed; trade and commerce again flourish. . . . We most humbly beseech your majesty graciously to accept the strongest assurances that having the justest sense of the many favours we have received from your royal benevolence during the course of your Majesty's reign, and how much our present happiness is owing to your paternal love and care for your people, we will at all times most cheerfully contribute to your Majesty's service to the utmost of our abilities when your royal requisitions, as heretofore, shall be made known; that your Majesty will always find such returns of duty and gratitude from us as the best of Kings may expect from the most loyal subjects, and that we will demonstrate to all the world that the support of your Majesty's government and the honour and interests of the British nation are our chief care and concern, desiring nothing more than the continuance of our wise and excellent constitution in the same happy, firm and envied situation in which it was delivered down to us from our ancestors and your Majesty's predecessors."

This address was delivered by Mr. De Berdt to Lord Shelburn, British Secretary of State. "I told his lordship," said Mr. De Berdt, "that to me it appeared wrote with the most natural honest simplicity of any I had read; he said it did, and the King was so well pleased with it that he read it over twice." Surely no government could have desired more radical expressions of loyalty; but the itching of the British royal and ministerial palms for American gold threw affairs again into disorder. In May, 1767, Charles Townshend, Chancellor of the Exchequer, submitted a plan to Parliament by which he proposed "to draw a revenue from America without giving offence;" and soon after he introduced the acts, to take effect Nov. 20th, imposing duties on glass, paper, pasteboard, white and red lead, painters' colors and tea imported into the colonies, establishing a Board of Customs at Boston to collect the revenue throughout America and legalizing writs of assistance. These measures were felt in the colonies to be even more subversive of their rights than the Stamp Act, and the Delaware Assembly appointed McKean, Rodney and Read to formulate a second address to the King. The Assembly did not fail to renew their protestations of loyalty, but at the same time they freely expressed their regret at the new course of oppression which had been adopted. They said:

"The sense of our deplorable condition will, we hope, plead with your Majesty in our behalf for

the freedom we take in dutifully remonstrating against the proceedings of a British parliament, confessedly the wisest and greatest assembly upon earth. But if our fellow-subjects of Great Britain, who derive no authority from us, who cannot in our humble opinion represent us, and to whom we will not yield in loyalty and affection to your majesty, can, at their will and pleasure of right, give and grant away our property; if they can enforce an implicit obedience to every order and act of theirs for that purpose, and deprive all and any of the assemblies in this continent of the power of legislation for differing with them in opinion in matters which intimately affect their rights and interests and everything that is dear and valuable to Englishmen, we cannot imagine a case more miserable; we cannot think that we shall have even the shadow of liberty left. We conceive it to be an inherent right in your Majesty's subjects, derived to them from God and nature, handed down from their ancestors and confirmed by your royal predecessors and the constitution, in person, or by their representatives, to give and grant to their sovereign those things which their own labours and their own cares have acquired and saved, and in such proportions and at such times as the national honour and interest may require. Your Majesty's faithful subjects of this government have enjoyed this inestimable privilege uninterrupted from its first existence until of late. They have at all times cheerfully contributed to the utmost of their abilities for your Majesty's service as often as your royal requisitions were made known, and they cannot now, but with the greatest uneasiness and distress of mind, part with the power of demonstrating their loyalty and affection to their beloved King."

This address was immediately followed by a correspondence with the Governor of Virginia, setting forth the views of the Assembly relative to the new aggressions of Great Britain, and declaring an intention of co-operating with the other colonies in such prudent measures as might have a tendency to conciliate the affections of the mother country, and restore their just rights and liberties. Notwithstanding all the influence brought to bear upon the British government for the repeal of the act imposing new duties, it remained obstinate, as it was considered an improper time to yield to the demands of the colonies. It would be time enough to do this, it was said, when they had shown a disposition to yield to the authority of Parliament. Lord North declared that however prudence or policy might hereafter induce the government to repeal the act, he hoped they should never think of it until America was prostrate at their feet. Failing in these measures, the colonies revived the non-importation system which had been partially enforced in the epoch of the Stamp Act. By refusing to import any product of English manufac-

ture they touched the pocket nerve of English merchants with most potent results. A non-importation association was formed at Boston in August, 1768, and in the next year Delaware joined in the agreement. The reason of this delay and some other incidents of the time are explained by a letter which George Read addressed to his fellow citizens of New Castle County:

"From our local circumstances it seemed unnecessary for the people of this government to enter into resolutions of non-importation from the mother country, as we had no traders among us who imported goods from Great Britain except in very small quantities and in vessels belonging to Philadelphia, which was sufficiently guarded by the agreement of her own citizens. Lately it has been discovered that a few of the traders of that city have become tired of what they call virtuous attempts to restore freedom to America and endeavoured to dissolve the Philadelphia non-importation agreement. One of the principal arguments made use of is the probability of losing the trade of this government. They say that the Maryland non-importation agreement having excepted many more articles of merchandise than that of Philadelphia, the people here will form a connection with the Marylanders in the way of trade, introduced by going there to purchase such excepted articles, which trade may continue after all contests with the mother country are over. This is a plausible and forcible argument, and to remove all the weight it may have, the inhabitants of the upper part of this country, particularly in and about the towns of New Castle, Wilmington, Christiana, Newark, Newport and Hamburg Landing, have resolved to support the Philadelphia agreement. It is now in the power of the people of this government to lend a helping hand and be of real use to the general cause. Some of the people of New York have deserted it, but, it is thought, will be brought back to their duty. To prevent the like accident taking place at Philadelphia we ought to destroy the argument alleged before. Let us be content to confine our trade to its former channels; there is our natural connection; let us forego some trifling convenience in hopes of greater advantage; resolve not to purchase any goods out of the government but such as are excepted in the Philadelphia agreement, and fall upon some effectual measures to support this conduct."

The agreement recommended by Mr. Read was soon very generally adopted. It was dated August 17, 1769, and after stating in energetic language the grievances which compelled the Delawareans to co-operate with their fellow-colonists in the measures best calculated to invite or enforce redress, they "mutually promise, declare and agree, upon our word of honor and the faith of Christians,—





"First. That from and after this date we will not import into any part of America any goods, wares or merchandise whatsoever from any part of Great Britain contrary to the spirit and intention of the agreement of the merchants of the City of Philadelphia.

"Second. That we never will have any dealing, commerce or intercourse whatever with any man residing in any part of the British dominions, who shall for lucre or any other purpose import into any part of America any article contrary to the said agreement.

"Third. That any one of us who shall wilfully break this agreement shall have his name published in the public newspapers as a betrayer of the civil rights of Americans, and be forever after deemed infamous and a betrayer of his country."

The compact was subsequently violated by some shop-keepers, and to arrest this evil, which threatened a dissolution of the covenant, two persons, sound patriots, were appointed in each town as a committee of inspection to watch the trade. George Read was elected chairman of the general committee, and the subordinate committees performed their duties with such diligence and activity that they equaled the agents of the best organized police in the discovery of delinquents. The adherents of Great Britain were too few in number to shield the apostates. When information was given against them they usually appeared before the general committee, which inflicted no other punishment than requiring from the offender a public declaration of sorrow for the offense, a promise not to repeat it, and payment to the committee of the proceeds of illegitimate sales for the use of the poor.

Events were rapidly marching to the crisis. On April 12, 1770, Parliament repealed all the obnoxious duties except that upon tea, but re-affirmed the right of taxing the colonies.

In 1773 the East India Company, finding that the Colonies would take no tea on which the duty was charged, tried a new plan, and kindled a new flame from the smouldering embers of old excitements. An act of Parliament was passed authorizing that company to export their teas to America free of the duty enacted by the home government, and only charged with the three-penny colonial duty. It was intended to tempt the colonies by offering them tea far cheaper than it could be landed in London. The news of the passage of this act called for new measures of resistance. News of the initial shipments of tea reached Philadelphia on the 27th of September. The ship "Polly," with "the detested plant," had sailed from London on the 12th or 15th of September, and her arrival was looked for in the Delaware about the third week in November. The patriotic inhabitants formed an association and entered into combinations to prevent the landing and the sale of the tea. Among the first measures adopted was

to issue an address to the Delaware pilots. It said, "We need not point out to you the steps you ought to take if the tea-ship falls in your way. You cannot be at a loss how to prevent, or, if that cannot be done, how to give the merchants of the city timely notice of her arrival. But this you may depend on, that whatever pilot brings her into the river, such pilot will be marked for his *treason* and will never afterwards meet with the least encouragement in his business. Like *Cain*, he will be hung out as a spectacle to all nations, and be forever recorded as the *damned traitorous pilot who brought up the tea ship*. This, however, cannot be the case with you. You have proved *scourges to evil-doers, to infamous informers and tide-waiters*, and we may venture to predict that you will give us a faithful and satisfactory account of the tea-ship if you should meet with her, and that your zeal on this occasion will entitle you to every favor it may be in the power of the merchants of Philadelphia to confer upon you." This address was signed by "*The Committee for tarring and feathering*." On Christmas day, intelligence was received of the arrival of the "Polly" at Chester, and a meeting of over eight thousand citizens of Philadelphia compelled her to return home without breaking bulk. This was the first and the last of the detested tea-ships in the Delaware.

It will be most fitting in this place to say a few words in regard to the most prominent leaders of the people of Delaware in this time of approach to the Revolutionary War—of their characters and circumstances we mean, their acts will not need comment. There were George, Thomas and James Read, Thomas McKean, Caesar Rodney, George Ross, Allen McLane, Caleb P. Bennett, Lewis Bush, Philemon Dickinson, John Haslett, Richard Howell, David Jones, Robert Kirkwood, Shepherd Kollock, John Patten, Bedford Gunning, Nathaniel Mitchell, Richard Bassett, David Hall and many others who were in the front of affairs at home or on the threshold of battle. These men, directly or by marriage, were connected with the leading families of Delaware of all the sects. They were all men of ability and influence, differing greatly in character, temperaments and political opinions, but all honest and earnest men.

The Read family, inheriting an ancient name of honorable repute in the Old World, has rendered its patronymic historical in America by its patriotic services during the colonial and Revolutionary periods, and by its large contributions to the foundation and subsequent consolidation of the government of the United States.

The first ancestor in this country was Colonel John Read, a wealthy and public-spirited Southern planter, who was born in Dublin, of English parentage, in the last year of the reign of James

the Second, 1688. His mother was the scion of an old Oxfordshire house, and his father, an English gentleman of large fortune, then residing in Dublin, was fifth in descent from Thomas Read, lord of the manors of Barton Court and Beedon, in Berkshire, and high sheriff of Berks in 1581, and tenth in descent from Edward Read, lord of the manor of Beedon, and high sheriff of Berks in 1439 and again in 1451. One of the latter's brothers, William Read, six times mayor of Reading, was member of Parliament for Reading in 1453, 1460, 1462 and 1472. An older brother, Sir Thomas Read, was one of the knights who accompanied King Henry the Sixth when he held his Parliament at Reading in 1439, and they were all sons of Thomas Read, lord of various manors in Northumberland.

In the civil wars of the seventeenth century, says Mr. Charles Reade, the family declared for the crown, and its then chief, Sir Compton Read, was for his services one of the first baronets created by Charles the Second after the Restoration. A younger son of the family went over to Ireland in the same troubles, and it was his son who was the progenitor of the American house. Besides the baronetcy of the 4th March, 1660, an earlier one had been conferred upon Sir John Read on the 16th March, 1641. Through a clerical error in one of the patents an *e* was added to the name, and was subsequently adopted by the English branches. The historical American branch retained the ancient form which the name had when it left England, and it figures thus on the petition to the King of the Congress of 1774, the Declaration of Independence, the Constitution of the United States and many other earlier and later State papers.¹

John Read had a romantic history. He fell in love at an early age in the old country with his cousin, a beautiful and accomplished English girl, who died suddenly before their engagement ended in marriage. This shock so overcame the lover that, after struggling in vain against his melancholy amidst familiar scenes, he determined, in spite of the earnest opposition of his parents, to seek relief in entire change. Crossing the ocean to Maryland, he purchased lands in several counties in that province, to which he added others in Delaware. On his plantation in Cecil County, Maryland, he possessed a spacious brick mansion, subsequently destroyed by fire, with out-buildings and offices and comfortable quarters for his slaves, whom he treated with an unvarying humanity which became hereditary in his family. Groves of oak grew near the house, and tulips of great rarity grew in the gardens. Jim was the head of his house ser-

vants, as Juba was the head of those in the next generation. The produce of the wheat and tobacco plantations were dispatched to Philadelphia and to England, and found their way back in various attractive and practical shapes for the use of the household. He was fond of field sports, and the woods rang with the sound of his dogs and his guns. He was both hospitable and generous. He gave the land to endow the church in his vicinity, and his life was honorable in all its relations. Being largely interested in various enterprises, he joined a few other gentlemen in founding the city of Charlestown, at the head-waters of the Chesapeake Bay, twelve years after Baltimore was begun, hoping to make it a great commercial mart to absorb Northern trade, to develop Northern Maryland, and to give a suitable impetus and outlet to the adjoining forges and furnaces of the Principio Company, in which his friends, the elder generations of the Washington family, and eventually General Washington himself, were deeply interested. Tradition preserves in this connection an account of the youthful Major Washington's visit to Colonel Read at the close of the latter's active and well-spent life.

As one of the original proprietors of Charlestown, John Read was appointed by the Colonial Legislature one of the commissioners to lay out and govern the new town, and he was assiduous in his attentions to these duties.

After a long period of single life his early sorrow was consoled by his marriage with Mary Howell, a charming young Welsh gentlewoman, many years his junior, who was as energetic and spirited as she was attractive and handsome. Sprung from the Howells of Caerleon, County Monmouth, her immediate ancestors were seated in the neighborhood of Caerphilly, Glamorganshire, Wales, where she was born in 1711, and from whence, at a tender age, she removed with her parents to Delaware, where her father was a large planter.

Mary, the only daughter of John and Mary (Howell) Read, married Gunning Bedford, Sr., who was a lieutenant in the war against the French in 1755, and took an active part in the Revolutionary struggle. He was commissioned major on the 20th of March, 1775, and becoming lieutenant-colonel of the Delaware Regiment on the 19th of January, 1776, was afterwards wounded at the battle of White Plains while leading his men to the attack. He was likewise muster-master general, member of the Continental Congress and Governor of Delaware. Governor and Mrs. Bedford (*née* Read) left no issue.

Three distinguished sons of Colonel John Read were George, Col. James and Commodore Thomas Read. George Read was in a peculiar sense the father of the State of Delaware, for he was the author of her first Constitution in 1776, and of

¹ "Read Archives and Muniments," "Burke's Peerage under Reading," "Burke's General Armory," "Charles Reade's Sketch of his Kinsman, Chief Justice John Meredith Read, of Pennsylvania," published in *The Graphic*, London, March 6, 1875; republished in *Magazine of American History*, March, 1886.



John Smith



Gerhard

the first edition of her laws. He figured in her Assembly no less than twelve years, was Vice-President of the State, and at one time her acting chief magistrate. He penned the address from Delaware to the King, which Lord Shelbourne said so impressed George III. that he read it over twice. He is the most conspicuous figure in the Delaware record, for Thomas McKean and John Dickinson were more closely allied to Pennsylvania than to Delaware; and while Cesar Rodney was prominent in the time of the Declaration, and afterwards as President of Delaware, his premature death in 1783 cut short his career. In person, Read was tall, slight, graceful, with a finely-shaped head, strong, but refined features, and dark-brown, lustrous eyes. His manners were dignified, and he could not tolerate the slightest familiarity, but he was most courteous, and at times captivating; and he dressed with the most scrupulous care and elegance. He was one of the two statesmen, and the only Southern statesman, who signed all three of the great State papers on which our history is based—the original petition to the King of the Congress of 1774, the Declaration of Independence and the Constitution of the United States. He was the eldest son of Colonel John Read, of Maryland and Delaware, and was born on the 17th of September, 1733, on one of the family estates in Cecil County, Maryland.

After receiving a classical education under Dr. Francis Allison, he studied law, and was called to the bar at the age of nineteen in the city of Philadelphia, and in 1754 removed to New Castle, Delaware, in which province the family also had important landed interests. On the 11th of January, 1763, he married Gertrude, daughter of the Rev. George Ross, for nearly fifty years rector of Emmanuel Church, New Castle, a vigorous pillar of the Established Church in America. Mrs. Read's brother, John Ross, had been attorney-general under the crown. Another brother, the Rev. Aeneas Ross, became celebrated as the author of eloquent and patriotic sermons during the Revolution; while still another brother, George Ross, was an eminent judge and a signer of the Declaration of Independence. Having been appointed attorney-general under the crown at the early age of twenty-nine, Mr. Read felt it to be his duty, as a friend to the mother country, to warn the British government of the danger of attempting to tax the colonies without giving them direct representation in Parliament, and in his correspond-

ence with his friend Sir Richard Neave, afterwards governor of the Bank of England, he gave utterance, eleven years before the Declaration of Independence, to the remarkable prophecy that a continuance in this mistaken policy would lead to independence and eventually to the colonies surpassing England in her staple manufactures. Finding no manifestation of change in the position towards the colonies, he resigned the attorney-generalship, and accepted a seat in the First Congress, which met at Philadelphia in 1774. He still, however, hoped for reconciliation, and he voted against the motion for independence. But he finally signed the Declaration of Independence when he found there was no hope, and henceforward was the constant originator and ardent supporter of measures in behalf of the national cause. He



READING TABLE, SILVER CANDLESTICKS AND CHAIR
OF Colonel John Read of Maryland and Delaware, 1668-1776.

was president of the Constitutional Convention in 1776, and the author of the first Constitution of Delaware and of the first edition of her laws. In 1782 he was appointed by Congress a judge in the national Court of Appeals in Admiralty. Three years later Congress made him one of the commissioners of a federal court to determine an important controversy in relation to territory between New York and Massachusetts. In 1786 he was a delegate to the convention which met at Annapolis, Maryland, and he took an active part in those proceedings which culminated in the calling together, in 1787, of the convention in Philadelphia which framed the Constitution of the United States. In this august body he was also a prominent figure, especially in his able advocacy of the rights of the smaller States to a proper repre-

sentation in the Senate. Immediately after the adoption of the Constitution, which Delaware, largely under his direction, was the first to ratify, he was elected to the Senate of the United States. At the expiration of his term he was re-elected. He resigned in 1793, and accepted the office of chief justice of Delaware, which he filled until his death, on the 21st of September, 1798. Chief Justice Read commanded public confidence, not only from his profound legal knowledge, sound judgment, and impartial decisions, but from his severe integrity and estimable private character. Those who differed from him in opinion believed that he was acting from a sense of duty, and declared that there was not a dishonest fibre in his heart nor an element of meanness in his soul. He left three distinguished sons, George Read, second



EARLY ENGLISH SILVER TANKARD,
Which belonged to Colonel John Read, 1688-1760.

for thirty years United States district attorney of Delaware; William Read, consul-general of the kingdom of Naples; and John Read, Senator of Pennsylvania; and one daughter, Mary Read, who married Colonel Matthew Pearce, of Poplar Neck, Cecil County, Maryland. George Read, the signer, was an ardent member of the Church of England and afterwards of the American Episcopal Communion, and for many years one of the wardens of Emmanuel Church, New Castle; and he lies in that beautiful and quiet church-yard, where seven generations of the Read family repose.

The colonial Read mansion, on the west bank of Delaware Bay, in New Castle, in which George Read, the signer, lived and died, was the scene of elegant hospitality for many long years. Here the leading magnates of the colonies were entertained before the Revolution, and within its

hospitable walls were gathered from time to time groups of fashionable friends from the different parts of the South, as well as from Philadelphia, Annapolis, and New York. Washington and many of the native and foreign Revolutionary generals and all the foremost statesmen of the republic slept under its roof-tree, and enjoyed the courtly hospitalities of its owners. A portion of this mansion was destroyed by fire in 1824, but it was restored and is still standing on the Delaware front in New Castle. It was one of the finest family residences in the South. In the extensive gardens about it grew venerable box, cut in fantastic shapes, and tulips of the greatest variety and beauty, this being the favorite flower of the family—as the oak was its favorite tree. In the rear of the extensive offices and out-buildings were the quarters of the slaves—that is, of the house servants, the field-hands being on the outlying plantations and at Mr. Read's country-seat, farther south on the Delaware shore. George Read was a man not only of the highest integrity, but of the greatest liberality, and he gave so generously both his time and his money to the service of his country that the aggregate dispensed amounted to a very large sum of money for that day. George Read was a man who gathered about him a large circle of warm friends who looked up to him for guidance and advice. One of the most notable proofs of his own devotion to friendship was the proof which he gave of his enduring affection for John Dickinson. The latter, having not only opposed but refused to sign the Declaration of Independence, thereby lost his popularity entirely. But through the friendship and political and personal influence of George Read he was after a time restored to public life, became President successively of the States of Delaware and Pennsylvania, and afterwards one of the delegates to the convention which framed the Constitution of the United States.

There are at least three original portraits of George Read, of Delaware. One is by Gilbert Stuart, another by Robert Edge Pine, and a third by Trumbull, in the historical painting "The Declaration of Independence," which is in the Capitol at Washington. He figures prominently also in various other historical pictures,—among others, in "The Signing of the Constitution of the United States," by Rossiter, and in a "Dinner at General Washington's to George Read, of Delaware," by M. Armand Dumaresq. The latter was painted for General Meredith Read, the great grandson of George Read, and a copy taken by permission of the owner is in the possession of William Astor, Esq., of New York. The principal personages represented are General and Mrs. Washington, Chief Justice Read, the Marquis de Lafayette and Richard Henry Lee. Monsieur



Portrait of a man, possibly a historical figure, wearing a dark coat and a white cravat. The portrait is framed by a dark border.



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Dumaresq had previously sketched the portraits in the Trumbull collection at New Haven. George Read is also an important figure in "The Dinner Club of the Congress of 1775," also painted for General Meredith Read by M. Armand Dumaresq. The correspondence of George Read has preserved the memory of this interesting and select social gathering. It was composed of the following eight members (who dined together every day except Saturday), viz., Randolph, Lee, Washington and Harrison of Virginia, Chase of Maryland, Rodney and Read of Delaware, and Alsop of New York.

Commodore Thomas Read, the first naval officer who obtained the rank of commodore in command of an American fleet, was a brave soldier, daring

Benjamin Rush, subsequently one of the signers of the Declaration of Independence. In the following year he made a successful defense of the Delaware, and Captains Souder, Jackson, Potts and Charles Biddle gallantly volunteered under him at that moment as seamen before the mast. On the 7th of June, 1776, he was appointed to the highest grade in the Continental navy, and was assigned to one of the four largest ships—the 32-gun frigate "George Washington," then being built in the Delaware. In October of the same year Congress regulated the rank of the officers of the navy, and he stood sixth on the list. His ship being still on the stocks, he volunteered for land service, and on the 2d of December, 1776, the Committee of Safety directed him, with his officers,



READ MANSION, ON DELAWARE BAY, NEW CASTLE, DEL., IN COLONIAL DAYS.
Residence of George Read, Attorney-General in 1763, and afterwards a Signer of the Declaration of Independence and Framers of the Constitution of the United States.

navigator and discoverer. He was the son of Colonel John Read, of Maryland and Delaware, and the brother of George Read, of Delaware, the signer, and Colonel James Read, who was at the head of the Navy Department during the Revolution. He was born at the family seat, New Castle County, Delaware, in 1740, and was married, on the 7th of September, 1779, to Mrs. Mary Field, *née* Peale, at his seat, White Hill, near Bordentown, New Jersey, by his friend, the Rev. William White, chaplain of the Continental Congress, afterwards the first Protestant Episcopal Bishop of Pennsylvania.

On the 23d of October, 1775, at the early age of thirty-five, he was made Commodore of the Pennsylvania navy, and had as his fleet surgeon Dr.

to join General Washington. He gave valuable assistance in the celebrated crossing of the Delaware by Washington's army, and at the battle of Trenton commanded a battery composed of guns taken from his own frigate, which raked the stone bridge across the Assanpink. For this important service he received the thanks of all the general officers, as stated in the letter of the 14th of January, 1777, written to his wife by his brother, Colonel James Read, who was near him during the battle. After much active service by land and by sea he resigned, and retired to his seat, White Hill, where he dispensed a constant hospitality, especially to his old associates in the Order of the Cincinnati, of which he was one of the original members. His friend Robert Morris, the financier



1. *Journal of the American Medical Association*, 1997; 278: 1039-1044.

of the Revolution, having purchased his old frigate, "the Alliance," induced Commodore Read to take command of her, and to make a joint adventure to the Chinese seas and an out-of-season passage to China, never before attempted. Taking with him as his first officer one of his old subordinates, Richard Dale, afterwards the commodore in command, in 1801, of the American fleet sent to the Mediterranean, and Mr. George Harrison (who became an eminent citizen of Philadelphia) as

Read reached Philadelphia on his return voyage on the 17th of September, 1788, and on the 26th of October following died at his seat in New Jersey, in the forty-ninth year of his age. Robert Morris concluded his obituary of him in these words: "While integrity, benevolence, patriotism and courage, united with the most gentle manners, are respected and admired among men, the name of this valuable citizen and soldier will be revered and beloved. He was in the noblest import of the word, a man." Commodore Read left no descendants.

Colonel James Read, one of the fathers of the American navy, was a son of Colonel John Read, of Maryland and Delaware, and a brother of George Read, of Delaware, the signer of the Declaration of Independence and the framer of the Constitution of the United States, and of the daring navigator and discoverer, Commodore Thomas Read, of the Continental navy. He was born at the family seat, New Castle County, Delaware, in 1743, and died at Philadelphia, the 31st of December, 1822, in his eightieth year. He was regularly promoted from first lieutenant to colonel for gallant and distinguished services at the battles of Trenton, Princeton, Brandywine and Germantown. He was appointed by Congress, the 4th of November, 1778, one of the three commissioners of the navy for the Middle States; and on January 11, 1781, Congress invested him with sole power to conduct the Navy Board. When his friend, Robert Morris, became agent, he was elected



COMMODORE THOMAS READ DISCOVERING CAROLINE ISLANDS.

supercargo, he sailed from the Delaware on the 7th of June, 1787, and arrived at Canton the following 22d of December, having navigated on a track as yet unpracticed by any other ship, and also made the first out-of-season passage to China, and discovered two islands, one of which he named Morris and the other Alliance Island. These islands form a portion of the now celebrated Caroline Islands, and Commodore Read's discovery gave rights to the United States which have never been properly asserted. Commodore

secretary, and was the virtual head of the marine department, while Robert Morris managed the finance department of the American confederacy.

Colonel James Read married, on the 9th of July, 1770, Susanne Correy, of the Correys of Chester County, Pennsylvania, and left one son, James Read, born at Philadelphia in 1783. The latter was a great traveler in European and Oriental countries. In 1815 he visited Sweden with his friend, Sir Robert Ker Porter, and was



HISTORY OF DELAWARE.

permeated his old friends, and the Commodore himself took occasion from an interview with the venerable patriot to express his warmest regards to the old Talbot captain. The Commodore, in return, stated that some of the officers of the *Enterprise* who had been at Philadelphia on

Read's visit to Philadelphia on his return voyage on the 17th of September, 1788, and on the 29th of October following died at his seat in New Jersey, in the forty-ninth year of his age. Robert Moore concluded his obituary of him in those words: "While integrity, benevolence, patriotism and courage, united with the most gentle manners, were respected and admired among men, the name of this valuable citizen and sailor will be revered and beloved. He was in the highest import of the word, a *gentle*." Commodore Read is a descendant.

Colonel James Read, one of the fathers of the American navy, was a son of Edmund John Read, of Maryland and Delaware, and a brother of George Read, of Delaware, the signer of the Declaration of Independence, and the framer of the Constitution of the United States, and of the daring navigator and discoverer, Commodore Thomas Read of the United States navy. He was born at the family seat, New Castle County, Delaware, in 1745, and died at Philadelphia, the 31st of December, 1815, in his eightieth year. He rose regularly from first lieutenant to colonel by gallant and distinguished services at the battles of Trenton, Princeton, Brandywine and Germantown. He was appointed by Congress, the 4th of November, 1778, one of the three commissioners of the navy for the United States; and on January 14, 1781, Congress invested him with sole power to command the Navy Board. When his friend, Robert Moore, was consul agent, he was received



COMMODORE READ DISCOVERING THE ONE ISLAND.

called from the Delaware on the 1787, and arrived at Canton the 10 of December, having no commission conferred by any other duty and no commission was given in China. The only vessel which he named was the Alliance Island. The name of the new captured island was modern Heavily, the United States, which called Commodore

sometimes, and was the virtual head of the marine department, while Robert Moore was the marine department of the American navy.

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GENERAL JOHN B. MONTGOMERY, U. S. ARMY, 1840-41

GENERAL JOHN B. MONTGOMERY, U. S. ARMY, 1840-41. The portrait is a black and white engraving of a man in a military uniform. He is wearing a dark jacket with epaulettes and a high collar. The portrait is set within a dark rectangular frame.



Portrait of John Jay, 1790. Oil on canvas.

John Jay (1754-1829) was a prominent American statesman, diplomat, and lawyer. He was one of the Founding Fathers of the United States and played a key role in the American Revolution. Jay was a member of the Continental Congress and served as the first Chief Justice of the United States. He was also a member of the Federalist Party and was a strong advocate for the ratification of the U.S. Constitution. Jay was a skilled negotiator and diplomat, and he played a key role in the Jay Treaty of 1794, which resolved the outstanding issues from the American Revolution. Jay was a member of the New York Society of the Cincinnati and was a member of the New York Historical Society. He was a member of the New York Academy of Sciences and was a member of the New York Historical Society. He was a member of the New York Historical Society and was a member of the New York Historical Society.



there created a Knight of the Order of the Anaranth by the Queen of Sweden. He was a man of distinguished attainments as an amateur botanist. He died unmarried, at Philadelphia, the 29th of October, 1853. Colonel James Read also left one married daughter, Susanne Read, who married, the 27th of March, 1803, Joachim Frederic Eckard, Danish consul at Philadelphia, and brother of His Excellency Christian Eckard, Knight of the Dannebrog and honorary counselor to the King of Denmark, whose daughter married the Court Grand Huntsman Tutein, Knight Grand Cross of the Dannebrog, while his sons and grandsons were knights of the same order and superior judges of Schleswig-Holstein.

1805, and died on the 12th of March, 1887. After graduating with honor at the University of Pennsylvania, he studied law with his cousin, Chief Justice John Meredith Read, and was called to the bar. But shortly afterwards he studied theology, and graduated at the Princeton Divinity School. His long life was one of remarkable usefulness, and his work in India and China redounded to the credit of America. In 1845 he published an authoritative volume on Ceylon. Dr. Read Eckard married Margaret Esther, daughter of Dr. Nicholas Bayard, the son of Colonel John Bayard, of Philadelphia. He left one son, the Rev. Leighton Wilson Eckard, born 23d of September, 1845, who graduated at Lafayette



READ MANSION, NEW CASTLE, DEL.,

When the Marquis de Lafayette was the guest there of Hon. George Read, son of George Read, "the Signer."

Consul-General Eckard died at Venezuela the 14th of September, 1837. Mrs. Susanne Read Eckard was a woman of remarkable accomplishments and great wit, and figures, under the name of Miss Rushbrook, in a novel entitled "Justina," by Mrs. Simeon De Witt, published in 1823. It is there said: "She keeps the most literary and the most fashionable society in Philadelphia. Her manners are charming, her conversation full of mind, and her heart is noble and benevolent." Mrs. Eckard was the author of the historical account of "Washington delivering his Farewell Address." Mrs. Eckard died at Philadelphia the 3d day of December, 1861, leaving two distinguished sons,—i. e., Dr. Frederick Eckard, and the Rev. Dr. James Read Eckard. The latter was born in Philadelphia on the 22d of November,

ette College and at the Princeton Divinity School, and is also a distinguished clergyman.

Hon. George Read, (2d), of Delaware, eldest surviving son of George Read, the signer, was born at New Castle the 17th of August, 1765, at the Read mansion. He married, on the 30th of October, 1786, Mary Thompson, daughter of General William Thompson, a distinguished Revolutionary officer, at the latter's country seat, near Carlisle, Pennsylvania. Mrs. Thompson was Catharine Ross, the sister of Gertrude Ross, wife of George Read, the signer. George Read, (2d), was an eminent jurist, and for nearly thirty years was United States district attorney of Delaware. He was the owner of large plantations in Mississippi. He died at the Read mansion on the 3d September, 1836, and was buried at Emmanuel

Church. He was a handsome, dark-haired man, of rich complexion and courtly manners. His portrait was painted by Wortmüller. He restored the Read mansion, and entertained Lafayette there most sumptuously on the latter's second visit to America.

Hon. George Read (3d), of Delaware, son of George Read (2d), of Delaware, was born in the Read mansion, at New Castle, Delaware, June 4, 1788, and married, the 19th of April, 1810, Louisa Ridgeley Dorsey, whose family resided near Baltimore, Maryland, her father being Dr. Nathan Dorsey, a surgeon in the Revolutionary navy, who afterwards became an eminent physician in Philadelphia. After graduating at Princeton with honors, in 1806, he studied law with his father, and was called to the bar in Delaware. Distinguished as a lawyer, he was still more eminent as an advocate and remarkable for his conversational powers, fine taste and extensive and varied literary attainments. Frank, generous, benevolent, gentle and unassuming in manner, it was said of him that the *general* regard that his many admirable qualities attracted was only surpassed by the warm attachment, much more than any man we have known, which he elicited from his *immediate* friends. His father had occupied for many years the post of United States district attorney, and he also filled that office with ability during the administrations of three of our Presidents. George Read (3d), died at the family mansion, in New Castle, on the 1st of November, 1837, and on the eve of his nomination to the United States Senate. He had constantly refused the highest state and national offices.

George Read, (4th), son of George Read (3d), of Delaware, was born at New Castle, 16th Oct., 1812; married, in 1844, Susan Chapman, of Virginia, and died in August, 1859, forty-seven years of age at Rossmere, near Columbia, Arkansas. He showed early aptitude for business, and was trained in the counting house of an eminent firm in Baltimore. In company with his grandfather, George Read, (2d,) he purchased a cotton plantation of several thousand acres in Chicot County, Arkansas, on the borders of Louisiana, which grew under his masterly touch into one of the great representative plantations of the South. He took an active part in the organization of a parish in his neighborhood, where his kindness and generosity made him the object of warm affection. He died in the communion of the Episcopal Church, of which he was a prominent member, like all of his family. He was characterized by sound judgment, foresight and energy. He was most fastidiously refined, a man of medium height, of handsome face and carriage.

George Read (5th), of Arkansas, eldest son of George Read (4th), of Delaware, was born at

Grand Gulf, Mississippi, in February, 1847, and succeeded by will to the great plantation of Rossmere, which was much damaged by the Union army during the War of the Rebellion. He married Susan Salmon, of Lynchburg, Virginia. He is also a successful cotton-planter, and a gentleman of great refinement and varied culture. His eldest son, George Read (6th), of Rossmere, died in infancy. Two children survive—Cleveland Read, born 4th July, 1884, and Alice Read, born 15th of February, 1880. George Read, (5th) of Rossmere, had seven brothers and sisters; all died without issue during the lifetime of their father, except one sister and William Thompson Read, born at Rossmere, 7th October, 1857, married, 7th January, 1879, Jono Saunders, of Chicot County, and has William Thompson Read, born at Rossmere 2d of April, 1880, and Earl Read, born 15th July, 1883. Mr. W. T. Read is a large and successful planter. The only surviving sister of George Read (5th), and William Thompson Read is Marion Read, who was born at Rossmere on the 3d of February, 1853; married, 10th November, 1880, F. M. Carlton, Esq., of King and Queen County, Virginia, and has George Read Carlton, born 9th July, 1883, and Marian Read Carlton, born August 1, 1884.

William Thompson Read, son of George Read (2d), of Delaware, was born in the Read mansion, at New Castle, on the 22d of August, 1792, and was baptized the 16th of September following at Emmanuel Church. He graduated at Princeton in 1816, studied law with his father and was called to the bar in Delaware. He resided at Washington for some years, and was at the head of one of the government departments, and became later secretary of the legation of the United States to Buenos Ayres, and a Senator of Delaware. He was also Grand Master of Masons of Delaware, and one of the founders of the Historical Society of Delaware. He was a man of great culture, an ardent churchman, and highly respected in all relations through life. He was the author of a life of his grandfather, George Read, the signer. He died in his mansion at New Castle on the 27th of January, 1873, having married Sally Latimer Thomas, who pre-deceased him. He left no issue. His brothers, Gunning Bedford Read and Charles Henry Read, both lawyers of great promise, died unmarried. His sister, Catherine Anne Read, who was born in 1794, in the Read mansion at New Castle, and died there in 1826; married, on the 18th of June, 1812, Dr. Allen McLane, of Wilmington, son of Colonel Allen McLane, of the Revolutionary army, and brother of the Hon. Lewis McLane, Secretary of State of the United States, and uncle of the Hon. Robert M. McLane, United States Minister to France.

William Read, first lieutenant of the United

States army, born the 24th of April, 1823, at the family mansion, New Castle, Delaware, was baptized on the 4th of April, 1824, at Emmanuel Church, New Castle. He was the son of the Hon. George Read (3d), of Delaware, and Louisa Ridgely Dorsey, his wife. He was appointed from Delaware a cadet at West Point the 1st of July, 1840; promoted to be second brevet lieutenant in the Sixth Infantry; served with distinction in the war with Mexico; was made second lieutenant of the Fifth Infantry in 1846, and first lieutenant of the same regiment in 1847; resigned 21st of July, 1850. He was Professor of Natural and Experimental Philosophy in the Kentucky Military Institute from 1851 to 1853; assistant examiner of patents at Washington from 1855 to 1861, and a planter in Montgomery County, Maryland, from 1861 until his death in 1884. He married M. E. Beale, the granddaughter of Commodore Truxton, of the United States navy.

J. Dorsey Read, a graduate of the Naval Academy at Annapolis, was a lieutenant in the United States navy. He died in 1858. Married Maria Chapman, of Virginia, but left no descendants. He was the third son of the Hon. George Read (3d), of Delaware, and Louisa Ridgely Dorsey, his wife.

Marian Murray Read, born at the Read Mansion, New Castle, Delaware, was baptized on the 6th of May, 1811, aged three months, at Emmanuel Church, New Castle; was the eldest daughter of the Hon. George Read (3d), of Delaware and Louisa Ridgely Dorsey, his wife. She married James G. Martin, Esq., of North Carolina, a graduate of West Point, who attained the rank of major in the United States army, and became a major general in the Confederate army.

James G. Martin, eldest son of James G. Martin, of North Carolina, was counselor-at-law, Asheville, North Carolina. He married Annie Davis.

Elizabeth Stark Murray Martin was the eldest daughter of James G. Martin, of North Carolina. She married William Bruce, Esq., counselor-at-law, Norfolk, Virginia.

Annie Hollingsworth Martin was the second daughter of James G. Martin, of North Carolina. She died unmarried.

Marian Martin, the youngest daughter of James G. Martin, Esq., of North Carolina, was married to Samuel Tennent, Esq., planter, Asheville, North Carolina.

Louise Gertrude Read, born at the family mansion, New Castle, Delaware, second daughter of Hon. George Read (3d), and Louisa Ridgely Dorsey, his wife, was married to Colonel B. K. Pierce, of the United States army, brother of General Franklin Pierce, President of the United States. He commanded at Governor's Island at the time of his wife's death, which occurred in 1840. She was

buried at Governor's Island, New York, leaving no issue.

Annie Dorsey Read, third daughter of the Hon. George Read (3d), and Louisa Ridgely Dorsey, his wife, born at the family mansion, New Castle, Delaware, was baptized on the 2d of August, 1818, then aged three weeks, at Emmanuel Church, New Castle. She married Major Isaac A. Keiter Reeves, of the United States army, who was born in New York. He was appointed a cadet from New York to West Point in 1831, graduated in 1835, served with distinction in the Florida War, and attained the rank of major. He died prior to the Rebellion. Mrs. Major Reeves resides in one of the old Read mansions at New Castle, Delaware, and has the following children, Keiter Reeves, only son, an engineer in the United States navy, who married Henrietta Young and has two children—Keiter Reeves and Marian Reeves; Marian Legere Reeves, a well-known authoress, who has written under the *nom de plume* of Fadette, the following novels, "Ingemisco," "Randolph Honour" and "Wearie Thorne," and in connection with her aunt Miss Emily Read, of New Castle, has published "Old Martin Boscawen's Jest."

Annie Dorsey Reeves married the Hon. John H. Rodney, of New Castle, a great grand-nephew of the Hon. Caesar Rodney, a signer of the Declaration of Independence, and has six sons and one daughter.

Caroline E. Reeves married Wm. S. Potter, Esq., a planter in Cecil County, Maryland, and has two sons and five daughters.

Caroline Read, fourth daughter of Hon. George Read (3d), of Delaware, and Louisa Ridgely Dorsey, his wife, born at the family mansion, New Castle, Delaware, was baptized on the 22d of July, 1820, at Emmanuel Church, New Castle. She married, on the 31st of March, 1840, Major-General William H. French, of the United States army, a graduate of West Point in 1837, a distinguished officer of the United States army during the Rebellion. He was born on the 3d of January, 1815, at Baltimore, Maryland. He retired in July, 1880, as Colonel of the 4th Artillery, with rank of major-general. He died on the 20th of May, 1881, at Washington. His wife, Caroline Read, died on the 26th of September, 1884, at Blue Ridge Summit, Franklin County, Pennsylvania. They left the following issue:

Lieutenant-Colonel Frank Sands French, born in 1841 at Houlton, Maine, entered the United States army, 1861, as second lieutenant of artillery, and was made captain and brevet lieutenant-colonel for gallant and meritorious conduct during the war; died 4th of September, 1865, at New Castle, Delaware, of wounds received at the battle of Antietam; unmarried.

William Henry French, of the United States army, born 17th of July, 1844, at Newport, Rhode Island, while his father was stationed at Fort Adams. He married Emily Ott in 1879, and has three daughters.

Lieutenant Frederick Halverren French, a graduate of West Point in 1877, second lieutenant United States army same year; first lieutenant 1860; retired January, 1885; unmarried.

Lieutenant George Ross French, United States Navy, born 8th July, 1857, at Fort McHenry, Baltimore, Maryland, while his father was stationed there; a graduate of the Academy, Annapolis, in 1880; midshipman of the United States Navy in 1882; ensign, June, 1884; married, in Baltimore, 26th of March, 1885, Elizabeth Hollingsworth, daughter of Charles Findlay, Esq. Mrs. French was born the 17th of November, 1856. They have one son, Findlay French.

Annie Read French, born the 24th of May, 1853, at Tampa, Hillsborough County, Fla., while her father was stationed there; married, the 24th of May, 1875, to Captain John M. Clem, of the United States army. He was born at Newark, Licking county, Ohio, in 1853, entered the United States army in 1862 as a drummer-boy, and distinguished himself in the battles of Chickamauga, and Shiloh, and became famous as the "Drummer-boy of Chickamauga," and for his distinguished services and gallantry was appointed, when only ten years of age, a sergeant in the United States army; became second lieutenant in 1870, first lieutenant in 1874, and captain and assistant quartermaster in 1882. They have one son, John Clem.

Rosalie French, born 4th June, 1861, at New Castle, Delaware, married Lieutenant J. Conklin, of the United States army.

Julia Rush Read, fifth daughter of the Hon. George Read (3d), of Delaware and Louisa Ridgely Dorsey, his wife, born at the family mansion, New Castle, Delaware, and married General Samuel Jones of Virginia, who graduated at West Point, and attained the rank of captain in the United States army. He became a major-general in the Confederate army, and commanded during the Rebellion the Departments of South Carolina, Georgia, Alabama and Florida. They have one child, Emily Read Jones, who is unmarried.

Emily Read, sixth daughter of the Hon. George Read (3d), of Delaware and Louisa Ridgely Dorsey, his wife, was born at the family mansion, New Castle, Delaware, where she still resides. She has contributed to the *Encyclopædia Britannica*, and has produced anonymously "Life in New Sweden Two Hundred Years Ago." She is also the authoress, in conjunction with her niece Miss Marian Reeves, of "Old Martin Boscawen's Jest," and "Pilot Fortune."

Lieutenant John Alexander Lockwood, of the United States army, Professor of Military Tactics at the University of Michigan, is the son of Dr. John Alexander Lockwood, born at Dover, Delaware, in 1812, by his wife, Julia Read McLane, born 21st of February, 1818, at Wilmington, Delaware, married the 20th of October, 1840, died the 21st of November, 1880, at Washington, D. C.

Lieutenant Lockwood was born on the 30th of October, 1856, at Dresden, Saxony, Germany. He is the grandson of Dr. Allen McLane and his wife, Catharine Anne Read, and fifth in descent from George Read, of Delaware, the signer. His sister, Florence Lockwood, born at Florence, Italy, the 26th of April, 1853, married, the 17th of February, 1878, Captain Charles Alfred Booth, of the United States army.

William Read, of Philadelphia, consul-general of the Kingdom of Naples, was the second son of George Read, the signer, of Delaware. He was born in the Read mansion, New Castle, Delaware, October 10, 1767, and died in his own mansion, at Philadelphia, September 25, 1846. He was married, at Christ Church, Philadelphia, on the 22d of September, 1796, by Bishop White, to Anne McCall, daughter of Archibald McCall and Judith Kemble, his wife. Mrs. Read was born on the 2d of May, 1772, and died the 17th of July, 1845. Mr. William Read, who removed to Philadelphia at an early age, was, for many years, consul-general of the Kingdom of Naples, and represented several other foreign powers. He was a brother of George Read (2d), of New Castle, and of the Hon. John Read, of Philadelphia. He resided in an ancient and spacious mansion on Second Street, then the most fashionable part of Philadelphia. His eldest son, George Read, of Pennsylvania, was born in Philadelphia, on the 10th of June, 1797, in the large mansion in Second Street, three doors above Spruce, on the west side. In accordance with the ancient family usage, he was taken to New Castle, Delaware, and christened on the 29th of October, 1797, in Emmanuel Church, of which his great-grandfather, the Rev. George Ross, was the first rector in 1703. Mr. Read resided nearly forty years in Spain, first going thither on the 10th of October, 1817. He was for a long time United States consul in that Kingdom. He is still living, and in his ninety-second year is extremely active in his habits, and his anecdotes are as interesting and his wit as vivacious as in his earlier years. He is unmarried. His three brothers,—William Archibald Read, a planter near New Orleans; John Read, a prominent lawyer of Philadelphia; and Samuel McCall Read, also a planter near New Orleans, Louisiana—died without issue. His only sister, Mary Read, born the 16th of June, 1799, died the 7th of July, 1875; married,

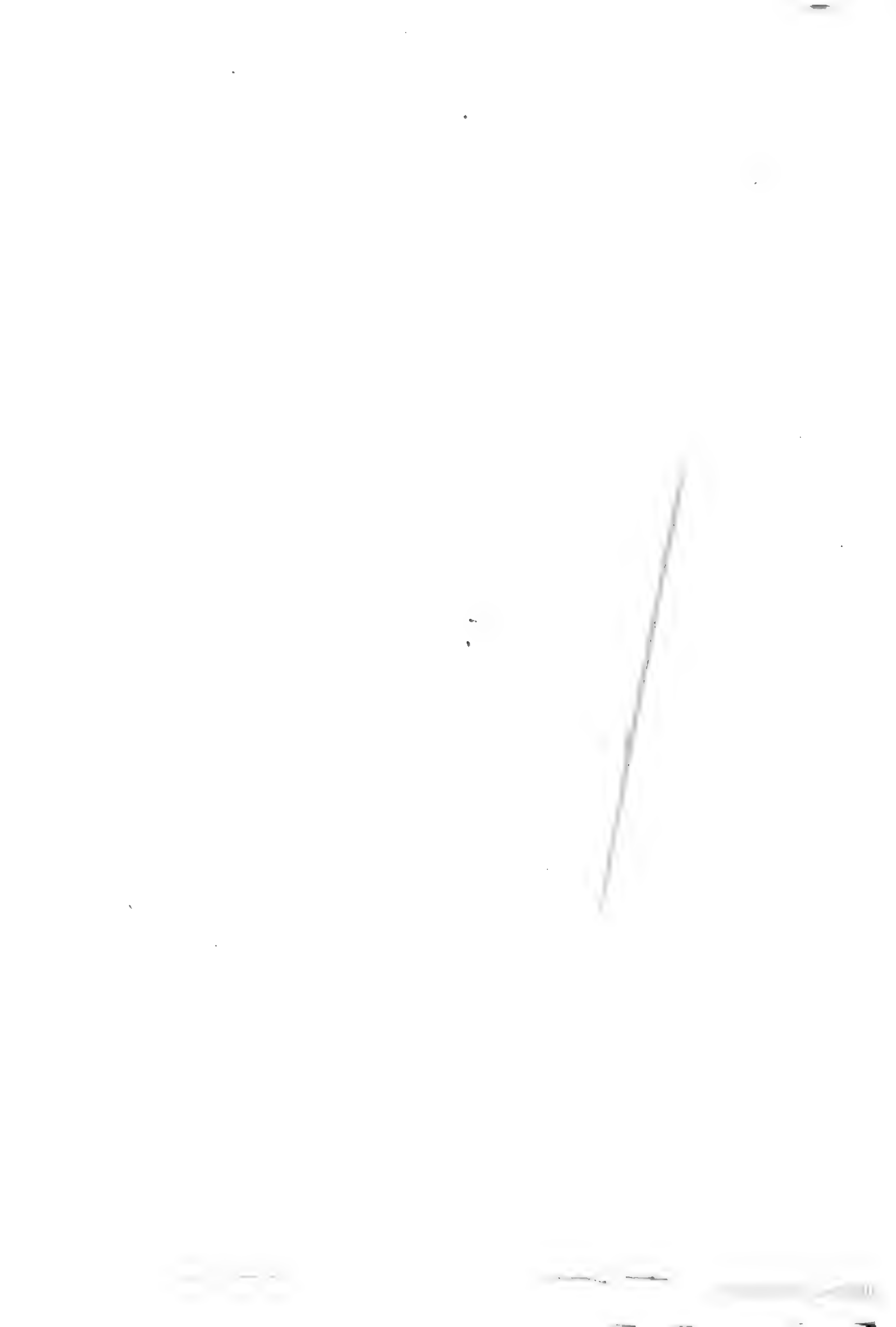




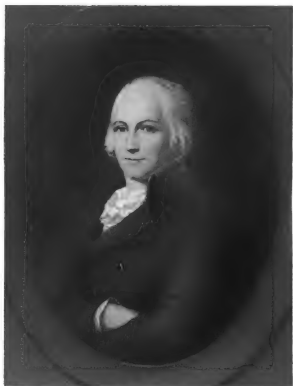
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The Honorable John Read
1769 1851

the 1990s, the number of people who have been infected with HIV has increased in the United States, and the number of people who have died of AIDS has increased. The CDC has estimated that about 1.1 million people in the United States are living with HIV, and that about 30,000 people die of AIDS each year. The CDC has also estimated that about 1.1 million people in the United States are living with AIDS, and that about 30,000 people die of AIDS each year. The CDC has also estimated that about 1.1 million people in the United States are living with AIDS, and that about 30,000 people die of AIDS each year.

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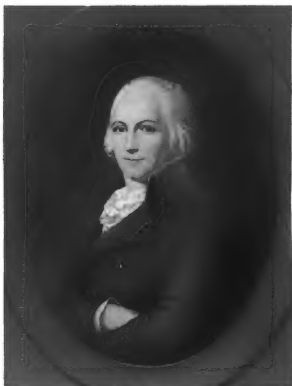
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On the 17th of July 1899, the
 following was the result of the
 election:

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... and political



The Honorable John Read
1769 1851



Samuel E. Wood
1818-1871

in 1827, Coleman Fisher, of Philadelphia, son of Samuel and grandson of William Fisher. Mr. Fisher was born in Philadelphia in 1793, and died there the 4th of March, 1857. Their children are the present William Read Fisher, Esq., of Philadelphia; Elizabeth Rhodes Fisher, who married Eugene A. Livingston, Esq., of Livingston Manor, New York, and died in 1877; Sally West Fisher and Mary Read Fisher. The eldest son, Coleman P. Fisher, a distinguished engineer, died some years ago unmarried. Mrs. Livingston left one son and two daughters.

The Hon. John Read, of Pennsylvania, an eminent lawyer, financier and philanthropist, and one of the leaders of the Federal party, was the fourth son of George Read, of Delaware, a signer of the Declaration of Independence, and a framer and signer of the Constitution of the United States. The eldest son, John, named in honor of his grandfather, had died in infancy, and the fourth son received the same name, and consequently seemed to take the place of his elder brother. His mother, Gertrude Ross, was the daughter of the Rev. George Ross, Rector of Immanuel Church, New Castle, a graduate of the University of Edinburgh in 1700, and of the Divinity School in 1702, who having been ordained by the Bishop of London, became one of the founders of the Church of England in America. Mr. Ross was born in 1679 and died in 1754. His daughter, Mrs. Read, was beautiful in person, her manners were refined and gracious, and her piety was shown in a constant succession of charitable deeds. As her pious father expressed it in his autobiography, the family escutcheon was without spot or stain. Her grandfather, David Ross, Esquire, of Balblair, was a descendant, through the house of Balamuchy, of the ancient family of the Earls of Ross. Her eldest brother, John Ross, had preceded her husband as attorney-general; a younger brother, George Ross, was a distinguished judge and a signer of the Declaration of Independence, while the patriotic sermons of another brother, the Rev. Aeneas Ross (an eloquent divine of the Church of England, who had received his degrees at Oxford), had fired the heart of the colonies at the opening of the Revolution.

John Read was born in the Read mansion, New Castle, Delaware, on the 17th of July, 1769. He graduated at Princeton in 1787, studied law with his father, was called to the bar and removed to Philadelphia in 1789, where he married in 1796, Martha Meredith, eldest daughter of General Samuel Meredith, member of the Continental Congress, first Treasurer of the United States, and an intimate friend of General Washington. George Clymer, a signer of the Declaration of Independence and a framer of the Constitution of the United States, was Mrs. Read's uncle. Her mother was

the daughter of Dr. Thomas Cadwalader, of the Supreme Executive Council of Pennsylvania, and the sister of General John Cadwalader, whose daughter Fanny married Lord Erskine, and Colonel Lambert Cadwalader. Her brother-in-law, General Philemon Dickinson, commanded the New Jersey forces at the Millstone and at the battle of Monmouth, and John Dickinson, author of the "Farmer's Letters," was her cousin. Mrs. Read's grandfather, Reese Meredith, the son of Reese Meredith, Esquire, of the county of Radnor, was born in Wales in 1705, removed to Philadelphia in 1727, and married the granddaughter of Samuel Carpenter, owner of the "Slate Roof House," the partner of William Penn and one of the executors of his will. Reese Meredith sprang from the very ancient Cambrian family of Meredith to which belong Lord Athlumney, Baron Meredith and the Merediths, Baronets of Greenhills and Carlandstown, County Meath. He was one of the wealthiest men of his day; his town house was in Walnut Street below Second; his country seat was on the west bank of the Schuylkill opposite Fairmount. His son, General Meredith, resided in a large mansion on the north side of Chestnut Street, two doors above Fifth, opposite Independence Hall. His country seats were Greenhills, Philadelphia County; Otter Hall, near Trenton, New Jersey, and Belmont, near the present town of Scranton, Pennsylvania.

John Read was appointed by President John Adams, in 1797, Agent General of the United States under Jay's Treaty. He filled this important office with marked ability also under the administration of President Thomas Jefferson, and until its termination in 1809, and published a valuable volume entitled "British Debts." He was City Solicitor, a member of the Common and Supreme Councils of Philadelphia, and took an active part in the defense of the Delaware during the War of 1812. He was also a member of the Pennsylvania Legislature, and chairman of the Committee of Seventeen in 1816. He was Senator from 1816 to 1817; was appointed by the legislative body State Director of the Philadelphia Bank, and on the retirement of his wife's uncle, George Clymer, the signer, in 1819, became President of that Bank, which office he held until 1841. He was also the president of many other important corporations. An active, wise and liberal churchman, he constantly figured in the national councils of the Episcopal Church, and he was for many years Rector's warden of Christ Church, St. Peter's and St. James'. He died at Trenton, New Jersey, on the 13th July, 1854, in the eighty-sixth year of his age, and was buried in the Read vault, Christ Church, Philadelphia. He was the father of the Hon. John Meredith Read, Chief Justice of Pennsylvania. His humanity and philanthropy

were largely manifested during the terrible outbreak of yellow fever in Philadelphia, in 1793, when he contributed liberally from his purse, and exposed his life throughout the entire course of that epidemic in behalf of his suffering fellow-citizens.

Mr. Read had three sons, chief justice John Meredith Read, of Pa., Edward Read, who died in infancy, and Henry Meredith Read, M.A., M.D. The latter was born at his father's mansion in Chestnut Street, Philadelphia, on the 31st October, 1802, graduated at Princeton in 1820, and at the Medical School of the University of Pennsylvania in 1823. He was a man of brilliant promise, but died prematurely and unmarried on the 16th of March, 1828, in the twenty-sixth year of his age. Mr. Read's daughters were Margaret Meredith, born 6th May, 1800 and died in 1802, and Margaret Meredith Read, born 7th April, 1806, and died, unmarried, the 13th March, 1854. The latter was a lady of remarkable accomplishments, and a general favorite in society. Mr. Read's children were all taken in infancy to New Castle to be christened at Emmanuel Church, in accordance with ancient family usage.

Mr. Read's spacious mansion stood on the south side of Chestnut Street, between Seventh and Eighth Streets, Philadelphia, surrounded with gardens, wherein tulips bloomed in profusion, running back to his stables which fronted on Sansom Street. To this hospitable house resorted all the wealth and fashion of the early part of the century. Mr. Read, like his father and grandfather, was a collector and reader of rare books. His reading was extended and profound, and his memory was remarkably retentive, and always obedient to his call. He related with dramatic force the incidents of his childhood, which was passed among the most stirring scenes of the Revolution.

Mr. Read's miniature by an unknown but admirable artist, represents him at the age of twenty-five. The oil painting by Sully gives an idea of him in his more mature years. Unlike his paternal and maternal family, he was not above the medium height, but he had the refined but strongly defined features of the Reads, and he inherited their courtly and agreeable manners.

The Hon. John Meredith Read, LL.D., "a great jurist and a wise statesman," was the son of the Hon. John Read, of Pennsylvania, grandson of the Hon. George Read, of Delaware, and the great-grandson of Col. John Read, of Maryland and Delaware. He was born in the mansion of his grandfather, General Samuel Meredith, to whom his parents were then paying a visit, in Chestnut Street, two doors above Fifth Street, opposite Independence Hall, on the 21st of July, 1797; and he died in Philadelphia, on the 29th of

November, 1874, in the seventy-eighth year of his age. He graduated at the University of Pennsylvania at the age of fifteen, in 1812; was called to the bar in 1818; elected to the Pennsylvania Legislature in 1822, and again in 1823; and afterwards became city solicitor and member of the select council, and drew up the first clear exposition of the finances of Philadelphia. He was appointed United States district attorney of the eastern district of Pennsylvania, in 1837, and held that office eight years. He was also judge advocate on the Court of Enquiry on Commodore Elliot, solicitor-general of the Treasury Department, and attorney-general of Pennsylvania. Although his family were eminent and powerful Federalists, he early became a Democrat and was one of the founders of the Free Soil wing of that party. This militated against him when he was nominated to the Senate in 1845, as judge of the supreme court of the United States; for the Southern senators opposed his confirmation, and he consequently requested the president to withdraw his name. He was one of the earliest, most ardent and effective upholders of the annexation of Texas, and the building of railways to the Pacific. He powerfully assisted Andrew Jackson in his war against the United States Bank, and yet after its downfall, Mr. Nicholas Biddle came to him and begged him to be his counsel. In the celebrated trial of Castner Hanway, for treason, Judge Read was engaged with Thaddeus Stevens, and Judge Joseph J. Lewis, for the defendant, and made such a masterly argument, that Mr. Stevens said he could add nothing, for his colleague's speech had settled the law of treason in this country. This great triumph gave Judge Read an international reputation, and English jurists paid the highest compliments to his genius and learning. He showed his repugnance for slavery in the Democratic Convention held in Pittsburgh, in 1849, where he offered a resolution against the extension of slavery, which concluded with these remarkable words: "Esteeming it a violation of States rights to carry it (slavery) beyond State limits, we deny the power of any citizen to extend the area of bondage beyond the present dimension; nor do we consider it a part of the constitution that slavery should forever travel with the advancing column of our territorial progress."

Holding these strong views he naturally became one of the founders of the Republican Party, and he delivered at the Chinese Museum, in Philadelphia, at the beginning of the electoral campaign in 1856, his celebrated speech upon the "power of Congress over slavery in the territories." This struck a key-note which resounded throughout the country, and his discourse formed the text of the oratorical efforts of the Republican Party. It was under his lead that the Republican Party gained its first victory in Pennsylvania, for he carried



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Wm. H. Brown

retire to his country seat, and in 1841, he was elected to the Pennsylvania Legislature, and in 1842, he was elected to the United States Congress.

Mr. Harris was a member of the Pennsylvania State Senate, and in 1843, he was elected to the United States Congress, and in 1844, he was elected to the Pennsylvania State Senate.

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that State in the autumn of 1858, as a candidate for judge of the Supreme Court, by nearly 30,000 majority. This brought him prominently forward as a candidate for the Presidency of the United States, and Mr. Lincoln's friends proposed to nominate Judge Read for President, with Mr. Lincoln for Vice-President. This arrangement was destroyed by the defeat of Judge Read's supporters by the friends of the Hon. Simon Cameron in the Pennsylvania Republican Convention, in February, 1860. Nevertheless Judge Read received a number of votes in the Chicago Convention, although he had thrown his influence in favor of his friend, Mr. Lincoln. The decisions of Judge Read run through forty-one volumes of reports. In whatever branch of the law a question arose, he met and disposed of it with a like able grasp and learning. He was familiar with civil and criminal law, and their practice, with international and municipal laws, with law and equity, with the titles, limitations, and descents of real and personal estates, with wills, legacies, and intestacies, with the constitution, charters, and statutes of the United States, the States and all our cities. His opinion was adopted as the basis of the Act of March 3, 1863, authorizing the President during the rebellion to suspend the writ of habeas corpus; and throughout the country his talents and his influence were constantly enlisted in behalf of the general government, and all his decisions were governed by the ardent and lofty patriotism which characterizes his conduct through life. He relieved the American Philosophical Society from arbitrary taxation by deciding that the land in Independence Square, on which its hall stands was granted by the State forever for public uses; and, as it could not be sold by any form of execution, no taxes could consequently be a lien upon it. His judgment also placed the Public Buildings of Philadelphia on their present site. Another famous decision was that refusing an injunction to prevent the running of the passenger tramways on Sunday. He could not consent to stop the "poor man's carriage, the passenger car." Many thousand copies of this opinion were printed in the East and West, and it carried public opinion with it wherever it was read. His associate on the Supreme bench, Judge Williams, in his address to the bar of Philadelphia said: "Chief Justice Read possessed talents and learning of a very high order, and his personal and official influence were very great. He was a gentleman in every sense of the word; a gentleman of the old school, of the very highest sense of honor, of great dignity of character, and in social intercourse kind, affable and courteous. He was a true friend, strong and unswerving in his attachments, ready to make any sacrifice for his friends, and when they were in trouble he was untiring in his efforts to

serve them. He was a man of the strictest integrity, and despised everything that was low and vile. With him the equity and justice of the case was the law of the case. He was a man of chivalrous courage, persistent purpose, and inflexible will. He did not know what fear is." A partial list of Chief Justice Read's published writings are to be found in Allibone's "Dictionary of Authors," and his merits as a lawyer and a judge, were ably and eloquently portrayed by the Hon. Eli K. Price, in his discourse upon Chief Justice Read, before the American Philosophical Society. "Judge Read was one of the last of the great Philadelphia lawyers, for he was a leader among such men as the Sergeants, Binney, Chauncey, the Rawles and the Ingersolls." In speaking of his inherited qualities, Colonel Forney said: "Chief Justice Read belonged to a race of strong men. He was a man of the most marked individuality, and was constantly engaged in originating useful measures for the welfare of the General and State Governments, and his amendments formed an essential part of the constitutions of Pennsylvania and New Jersey, and his ideas were formulated in many of the statutes of the United States which owed their existence to him. He was contented to create useful legislation which smaller men often fathered. He never sought office, and frequently refused the highest national posts.

Chief Justice Read was Grand Master of Masons of Pennsylvania. his great-grandfather, Dr. Thomas Cadwalader, having been one of the founders of Masonry in that Province, and members of his family, the Reads, having filled the highest offices in Masonry, in Delaware.

There are many portraits of Chief Justice Read. One hangs in Masonic Hall in the gallery of Grand Masters, another adorns the Supreme Court-room in Philadelphia, but perhaps the best likeness is a miniature by J. Henry Brown, which was admirably engraved by Samuel Sartain. This engraving was copied in the *London Graphic*, in connection with a spirited notice of Chief Justice Read, written by his kinsman, Charles Reade, the famous novelist.

Chief Justice Read married first, Priscilla, daughter of Hon. J. Marshall, of Boston, on the 20th of March, 1828; Mrs. Read who was born the 19th of December, 1808, died in Philadelphia, on the 18th of April, 1841. She was the granddaughter of Lieut. Marshall, of the Revolutionary army, and eighth in descent from a captain in Cromwell's army, who was promoted for conspicuous services at the siege of Leicester, and at the battles of Marston Moor and Naseby. Mrs. Read and her sister Emily Marshall, afterwards, Mrs. William Foster Otis, of Boston, were the most celebrated belles of their day. By his first wife, Chief Justice Read had six daughters, of whom only one sur-

vived infancy, viz., Emily Marshall Read, who married, in 1849, William Henry Hyde, Esq., and died in 1854, leaving an only daughter, Emma H. Hyde, who married George W. Wurts, Esq., First Secretary of Legation and *Chargé d'Affaires* of the United States, at Rome, and died at Rome without issue.

By his first wife, *née* Marshall, Chief Justice Read had also an only son—General John Meredith Read, late United States minister to Greece.

Chief Justice Read married secondly in 1865, Amelia, daughter of Edward Thomson, Esq., and sister of Hon. John R. Thomson, United States Senator from New Jersey, and of Admiral Edward Thomson of the United States navy.

Chief Justice Read died at Philadelphia, on the 29th of November, 1874, in his seventy-eighth year. His widow, Mrs. Amelia Thomson Read, survived him twelve years, dying the 14th of September, 1886, without issue.

General John Meredith Read, Knight Grand Cross of the Order of the Redeemer of Greece, F. S. A., M. R. I. A., F. R. G. S., son of Chief Justice John Meredith Read, of Pennsylvania, grandson of Hon. John Read, of Pennsylvania, and great-grandson of George Read, of Delaware, the Signer of the Declaration of Independence, and fifth in descent from Colonel John Read, of Maryland and Delaware, was born on the 21st of February, 1837, at his father's residence, 85 South Sixth Street, Washington Square, Philadelphia, and received his education at a military school. Graduated at Brown University, Master of Arts, 1859; at the Albany Law School, LL. B.; studied civil and international law in Europe; was called to the bar in Philadelphia; and removed to Albany, New York. At the age of eighteen, he commanded a company of national cadets, which afterwards furnished many commissioned officers to the United States army during the Rebellion. At the age of twenty he was appointed aide-de-camp to the Governor of Rhode-Island with the rank of colonel. He engaged actively in the presidential campaign of 1856, and in 1860 organized the wide-awake movement in New York which carried the State in favor of Mr. Lincoln for the presidency.

Having been offered shortly afterwards a foreign appointment or the office of adjutant-general of the State of New York, he accepted the latter, with the rank of brigadier-general, at the age of twenty-three. In February, 1861, he was chairman of the government commission which welcomed President Lincoln at Buffalo, and escorted him by a special train to the capital. In January of that year, in conjunction with Governor Morgan, he urged the appropriation of half a million of dollars by the Legislature to place the State of New York upon a war footing. This wise precaution was not taken by that body, which did not perceive that a

struggle for national existence was imminent. But two months later, when the news of the firing upon Fort Sumter reached the north, General Read was appointed chairman of a committee of three to draft a bill appropriating three millions of dollars for the purchase of arms and equipments; and he afterwards received the thanks of the war department of the United States for his "energy, ability and zeal," in the organization and equipment of troops during the war, including the inspection and care of the wounded. Like most of those who were earnestly engaged on either side during the war of the Rebellion, General Read considered that when the war was finished animosity should entirely cease, and he has always been a strong friend of the South, where his family originated, and where many of his connections have always resided. In 1868 he took a leading part in the election of General Grant to the presidency, who appointed him consul-general of the United States for France and Algeria, to reside at Paris—a newly created post—which he was called upon to organize in all its various details. General Read likewise acted as consul-general of Germany during the Franco-German war, and directed, during a period of more than nineteen months, all the consular affairs of that empire in France, including the protection of German subjects and interests during the first and second sieges of Paris, 1870–71.

Upon the declaration of war Mr. Washburne was requested to act as Minister for Germany, and Baron Rothschild at the same time having resigned the office of German consul-general, General Read was requested to act as consul-general for Germany in France and Algeria. On the 17th of June, 1871, Mr. Washburne surrendered his charge of German affairs to Lieut. Colonel Count Waldersee, the new *Chargé d'Affaires* of the German Empire near the French government, Mr. Washburne having acted for ten months and a half. At the request of Count Bismarck and the French government General Read consented to continue to act as consul-general; and both sides acknowledged that his consenting to do so, with the thirty-five consuls and consular agents under him, prevented the possibility of a renewal of the conflict between the two countries, by rendering unnecessary the presence in France of German consular officials at a time when the minds of the French people were highly excited against all Germans. At this period the German Ambassador, in an official letter to General Read, said: "I cannot omit to express to you once more the sentiments of gratitude with which I am inspired by the persevering solicitude which you have never ceased to manifest in procuring for my compatriots the protection of the laws." As Vaporeau, in his Biographical Dictionary, says: "Upon the decla-



[illegible]

1. The first step is to identify the problem. In this case, the problem is that the company is not meeting its sales targets.

... ..

[illegible][illegible]

4. Having been offered monetary awards a foreign agent of the office of the attorney general of New York, he was not the last, or the only, one, at the time of the February, 1961, news conference, to offer a suggestion that he be paid at \$100,000 a year, or \$100,000 a month. In December, 1961, the Commission on the subject

...precondition was that
...did not receive that a

[illegible][illegible]



FRANCIS ARTHUR MONTAGUE

CHIEF OF THE ARMY

ration of the Franco Prussian war, General Read was charged with the interests of German subjects in France, and employed himself usefully during nearly two years in preventing the possibility of a renewal of the conflict: "and Gambetta declared, that while General Read was shut up in Paris during the two sieges, he employed himself actively in relieving the distress of the French population. His kindness to the French was also warmly acknowledged by the Parisian press of all parties. His unrelenting efforts in behalf of his own countrymen were universally recognised in the American press, and his attention to persons of other nationalities were warmly praised by the principal organs of the English press. For these various services he received the commendation of the President of the United States, General Grant, in his annual message to Congress on the 4th of December, 1871, which was couched in the following language:

"The resumption of diplomatic relations between France and Germany has enabled me to give directions for the withdrawal of the protection extended to Germans in France by the diplomatic and consular representatives of the United States in that country. It is just to add that the delicate duty of this protection has been performed by the Minister and the consul-general at Paris and the various consuls in France, under the supervision of the latter, with great kindness as well as with prudence and tact. Their course has received the commendation of the German government, and has wounded no susceptibility of the French."

He also received the repeated thanks both of the French and German governments and the official and personal thanks of Prince Bismarck. The Emperor himself desired to confer upon him an order of knighthood, and to present to him a rare and costly service of Dresden china. The joint resolution sent to Congress for the purpose of allowing the diplomatic and consular representatives in France to receive these marks of esteem from the Emperor of Germany having failed through the objection and the personal feeling of Mr. Sumner towards Mr. Washburne, the Emperor's intentions could not be carried out. Four years after General Read had ceased to act as consul-general for Germany, Prince Bismarck sent him his likeness with a complimentary autograph dedication. On a later occasion, the German government again took occasion to show its appreciation of General Read's services by directing its representative at Athens to give the American representative there the precedence. In France, his popularity was great, and in 1872 he was invited by General de Cissey, French Minister of War, to form and preside over a commission to examine into the expediency of extending the study of the English language in the French army; and for

his successful labors in this direction he again received the thanks of the French government. In recognition of his various services, he was appointed on the 7th of November, 1873, United States Minister to Greece. During his mission there, which covered a period of six years, he received the thanks of his government for his ability and energy in securing the release of the American ship "Armenia," and for his success in obtaining from the Greek government a revocation of the order prohibiting the sale and circulation of the Bible in Greece. He also received the thanks of the Board of Foreign Missions of the Southern Presbyterian Church and of the British and American Foreign Bible Societies. During the great financial crisis in America in 1876-77, while studying at Athens the commercial situation, he became possessed of secret and valuable information from Russia and England, which convinced him that America could regain her national prosperity at a bound. He accordingly addressed a despatch to the Secretary of State, pointing out that the Russo-Turkish War had closed every grain port in Russia except one, and that America could actually deliver wheat at that point at a less price than the Russians, owing to the latter's heavy duties and their want of facilities for handling grain. He urged that a grain fleet should be immediately despatched from New York to peaceably capture the European markets, and in conclusion said: "We should strain every nerve, not only to furnish the world with breadstuffs, but also the ships to carry them." General Read's suggestion was taken up, and the exports of breadstuffs and provisions from America rose within a twelvemonth seventy-three millions of dollars, thus giving a grain supremacy upon which the subsequent prosperity of America was substantially based. General Read re-visited his native country in 1874, and was received with the warmest demonstrations of welcome by all political parties, banquets being given in his honor at Washington, Philadelphia and New York, while at Albany an imposing dinner was given to him by the citizens irrespective of party, over which the Mayor presided. On the latter occasion General Read spoke in the warmest terms of the services rendered during the Franco-German War by the consuls who served under him, by his deputy, Mr. Franklin Oden Olcott, and his secretaries, Mr. Thirion and Mr. David Fuller, and by the *personnel* of the consulate-general.

In England he has been the recipient of marked courtesy at the hands of the Queen and the leading members of the royal family. For his literary and scientific services he has received the thanks of the State Department of the United States, of the National Academy of Design, of the English East India Company, of the Russia Company, of the Society of Antiquaries of London, of the

Archæological Society of Greece, and of the French Academy. He took a deep interest in the foundation of the French Association for the Advancement of Science. He was President of the American Social Science Congress at Albany in 1868, and vice-president of the British Social Science Congress at Plymouth in 1870. He is an honorary member of a great number of learned societies. He had received the Thirty-second Degree in Masonry in America, and Greece conferred upon him the highest, namely, the Thirty-third. He has made a series of rich collections of unpublished historical documents in each country which he has visited. Among the more remarkable are those upon the Franco-German War, including the siege and the commune; upon modern and mediæval Greece; upon the Colonial and Revolutionary War of America, and upon English history and antiquities. During a visit to Switzerland in 1879, he discovered a series of important unpublished letters from many of the most distinguished men in Europe of the eighteenth century, including Voltaire, Rousseau, Gibbon, Frederick the Great and Malesherbes. He is the author of many public addresses, official reports, learned papers, and an important historical inquiry concerning Henry Hudson, originally delivered in the form of the first anniversary discourse before the Historical Society of Delaware, and published at Albany in 1866, which received the highest commendation from the most eminent scholars in Europe and America. An abridged edition of this work was published at Edinburgh in 1882 by the Clarendon Historical Society. In 1876 his letter upon the death of his friend, the eminent historian, Lord Stanhope, was published in Athens in Greek and English. General Read, as United States Minister, received the thanks of his government for his prompt and efficient protection of American persons and interests in the dangerous crisis in Greece in February, 1878. Shortly afterwards, the United States Congress having, from motives of economy, suppressed the appropriation for the Legation at Athens, General Read, at the suggestion of the State Department, and at the earnest request of the king and the minister of foreign affairs of Greece, consented to continue to act, and carried on the diplomatic representation at that court at his own expense until the 23d of September, 1879, when he resigned. On this occasion the Secretary of State addressed to him an official dispatch expressing the extreme regret of the United States government at his retirement, and concluding thus: "The manner in which you have conducted the duties as minister of this government in Greece has been such as to merit hearty approval; and the patriotic sacrifices which you have made in order to secure, without interruption, the representation of the United States in that country, entitle you to the

respect and commendation of your countrymen. It gives me great pleasure to repeat the frequently-expressed satisfaction with which this government has regarded your conduct of the interests entrusted to you during a period of eleven years in the foreign service of the country, and my own sincere concurrence therewith. Your performance of the delicate and important duties of consul-general in Paris during the Franco-German War was such as to call forth the approbation not only of your own government, but also of the French and German authorities; and your subsequent service as a diplomatic representative of the United States in Greece has received the frequent commendation of this government. While the government is thus unfortunately deprived of your services in an important capacity, I cannot but hope that you will still have many years of happiness and usefulness before you, and that your country may continue to enjoy your active interest in all that concerns its prosperity." The official organ of the prime minister of Greece expressed its opinion in the highest terms, saying: "The departure of General Read from Greece has called forth universal regrets. He has become one of the most remarkable authorities in all matters relating to the Eastern Question, and there is certainly no foreigner who understands as well as he the character and capabilities of the Greek race. We are certain that his eminent abilities will not fail Greece in the present juncture, when the territorial question is not yet solved. He is so well known throughout Europe, and counts among his friends so many influential persons in England, France and Germany, that his views cannot fail to have the most happy influence." The moment he was freed from official ties, General Read set to work with generous ardor to promote the interests of the struggling people who were then pleading their cause before Europe, bringing all the resources of his unrivaled acquaintance with Eastern affairs to bear in the highest quarters. He journeyed, at his own expense, from one important point to another, arguing and urging the return to Greece of at least a portion of the ancient territories lying beyond her present borders. During his long sojourn in Greece he had won the confidence alike of the sovereign and of the people, and he was in a position to see that additional territory was essential to the existence of the Greeks as a nation. When the efforts of King George and his minister were crowned with success the unselfish labors of General Read were not overlooked. The newly-appointed Greek minister to London was directed, while passing through Paris, to convey to him the thanks of his government; and the King, who shortly afterwards visited that metropolis, called upon him to express His Majesty's personal thanks. In 1881, when



MAJOR HARMON P. READ.



ALICE J. BROWN, P. & A.

the territories adjudged to Greece had been finally transferred, King George, in recognition of General Read's services since his resignation of the post of United States Minister, created him a Knight Grand Cross of the Order of the Redeemer, the highest dignity in the gift of the Greek government, at the same time that His Majesty conferred a similar honor upon M. Waddington, Prime Minister of France, who had presented the Greek claims to the Berlin Congress, and upon Count Hatzfeldt, Minister of Foreign Affairs of Germany, who had successfully urged the same claims at Constantinople. For his many eminent services to his own country during the War of Secession, General Read was named Honorary Companion of the Military Order of the Loyal Legion.

When the Historical Society of Delaware was organized in 1864, Chief Justice Read, of Pennsylvania, was the chairman of the delegation appointed by the Historical Society of Pennsylvania to be present; and on the same occasion, his cousin, Mr. William Thompson Read, of New Castle, was chosen first vice-president, and General Meredith Read was invited to deliver the first anniversary address before the Society, to which allusion has already been made. For this and many other services General Read was elected an honorary member of the Society.

General Meredith Read married at Albany, New York, on the 7th of April, 1859, Delphine Marie, daughter of Harmon Pumpelly, Esq., an eminent citizen of Albany, whose father, John Pumpelly, born in 1727 (on the same day as the celebrated General Wolfe,) served with distinction in the early Indian and French Wars, was present at the siege of Louisburg, was at the side of Wolfe when he fell, mortally wounded, on the heights of Abraham, in 1759, and assisted in closing that heroic commander's eyes. John Pumpelly was also an officer of merit during the war of the Revolution, and attained a great age, dying in his ninety-third year, in 1820. The Pumpelly family, like the Wadsworth family, removed in the latter part of the last century from Connecticut to Western New York, where they acquired large landed properties. Mr. Harmon Pumpelly, who was born in Salisbury, Connecticut, on the 5th of August, 1795, died at Albany on the 29th of September, 1882, in the eighty-eighth year of his age. His three elder brothers, James, Charles and William, like him reached an advanced age, and were distinguished also for their wealth, philanthropy and public spirit. Mr. Harmon Pumpelly was largely interested in all the most important institutions and enterprises of central and western New York, and his home was the seat of a refined and unremitting hospitality.

Mrs. Read, *nee* Pumpelly, one of the most beautiful and attractive women of her day, was

as popular at Athens as she was at Paris, and her *salon* in both capitals was a centre of American and European fashion and culture. Mrs. Read also gave proof of the highest attributes of womanhood, *viz.* courage and humanity, in the most trying moments of the Franco-German war. During the horrors of the siege of the Commune she remained in Paris with her husband and calmly faced the terrible dangers of that time.

They have four children, Major Harmon P. Read, John Meredith Read, Jr., Miss Emily Meredith Read, now Mrs. Francis A. Stout, of New York, and Miss Delphine Marie Meredith Read.

Harmon P. Read, eldest son of General Meredith Read, and his wife, Delphine Marie Pumpelly, was born at Albany, New York, on the 13th day of July, 1860. Educated at Paris and Athens, at a military school, and at Trinity College, he became a member of the Historical Societies of Pennsylvania and New York, a fellow of the Royal Geographical Society of London, and a fellow of the Geographical Society of Paris. He has devoted much time to historical research; is an active and influential member of the Republican Party; was a candidate for the Legislature in a strong Democratic district, where he greatly reduced the Democratic majority; and was recently elected President of the Young Men's Association of Albany—a post to which some of the most eminent men in the State of New York have aspired. He is now Inspector of rifle practice with the rank of Major in the New York State National Guard. Major Read is an eminent Mason, and one of the most learned members of the craft in masonic history, and has reached the thirty-second degree. His ancestor in the sixth degree was one of the founders of the first Lodge of Masons in America. His grandfather, Chief Justice Read of Pennsylvania, was Grand-master of Masons, as was his cousin, Hon. William Thompson Read, of Delaware, while his father, General Meredith Read, has received the highest degree in masonry from the Grand Council of Greece.

John Meredith Read, Jr., second son of General Meredith Read, and his wife Delphine Marie Pumpelly, born at Albany, New York, on the 27th of June, 1869, is a member of the Historical Societies of Pennsylvania and New York.

Emily Meredith Read, eldest daughter of General Meredith Read, and his wife Delphine Marie Pumpelly, married at her father's residence, Newport, Rhode Island, on the 21st of August, 1884, Francis Aquila Stout, Esq., of New York, son of the late A. G. Stout, Esq., by his wife, Louise Morris, of Morrisania, a granddaughter of the Hon. Louis Morris, a signer of the Declaration of Independence, and grand-niece of Hon. Gouverneur Morris, one of the framers of the Constitu-

tion of the United States, and afterwards United States Minister to France.

Marie Delphine Meredith Read, second daughter of General Meredith Read, and his wife Delphine Marie Pumpelly, was born in Paris, while her father was United States Consul General to France, and was christened at the American Episcopal Church in the Rue Bayard, her godfather being Sir Bernard Burke.

Thomas McKean, the third of the Delaware signers of the Declaration of Independence, was born March 19, 1734, in New London township, Chester County, Pa., and studied law at New Castle, in the office of his relative David Finney.



Before he was twenty years of age he became clerk to the prothonotary of the Court of Common Pleas, then deputy prothonotary and register for the probate of wills, and when he had attained his majority was admitted to the Delaware and Pennsylvania bar. In 1756 he was appointed deputy prosecuting attorney for Sussex County, and in the next year clerk of the House of Assembly, and in 1762 was chosen, in company with Cesar Rodney, to revise and print the laws. In October, 1762, he was elected to the Assembly from New Castle County, and returned annually until 1779, although after 1773 he resided in Philadelphia. From 1764 to 1776 he was a trustee of the loan office for New Castle County, and was a delegate¹

¹ The certificate of appointment of Messrs. McKean, Kollock and Rodney, as delegates of the government of the counties of New

to the General Congress which met in New York in October, 1765, where, in conjunction with Lynch and Otis, he prepared the address to the House of Commons. When President Ruggles and other members refused to sign the proceedings of this Congress, Mr. McKean arraigned them so severely for unfaithfulness and cowardice that Ruggles extended him a challenge to a duel, which McKean promptly accepted, but the president departed from New York before dawn of the next day without fulfilling his engagement. Returning home through New Jersey, Mr. McKean announced to the people of that province that their representative, Robert Ogden, had also shrunk from signing the proceedings; Ogden threatened him with a challenge, but followed the example of Ruggles in declining to go upon the field. Mr. McKean was now appointed a justice of the New Castle courts, and sat upon the bench which in the November term, 1765, and February term, 1766, resisted the Stamp Act by ordering the officers of the court to use unstamped paper in the routine of their business. In 1771 he was appointed collector of customs at New Castle, and in October, 1772, was chosen Speaker of the Delaware House of Representatives. Although he had in the previous year made his permanent residence in Philadelphia, Delaware elected him to the Congress of 1774, and he was annually re-elected until February 1, 1783, his period of continuous service exceeding that of any other member. It is also remarkable that while he represented Delaware in Congress, he was, subsequent to July,

Castle, Kent and Sussex upon Delaware to the Stamp Act Congress was as follows:

"TO WHOM THESE PRESENTS MAY COME:

"KNOW YE, That we, the subscribers, five of the representatives of the freemen of the government of the counties of New Castle, Kent and Sussex upon Delaware, sensible of the weighty and opposite interests imposed upon the good people of this government by diverse acts of parliament and of the great infringement of the liberties and just-claims of right of all his majesty's colonies of this continent, concerned by the late measures in England, and being of opinion that the method proposed by the honorable house of assembly of the province of Massachusetts Bay is the most likely to obtain a redress of those grievances; and, taking into consideration the misfortune we at present labor under in not having it in our power to convene, as a house, and, in a regular manner, to appoint a committee; yet, anxious for the happiness of our constituents, think it our duty, in this way, to serve them as ambassadors in us lies (assented of the hearty approbation of any future house of assembly of this government); and, therefore, do hereby nominate and appoint Jacob Kollock, Thomas McKean and Cesar Rodney, Esqrs., three of the representatives of the said government, a committee, to repair to the city of New York, on the first day of October next, and there to join with the committee sent by the other provinces, in a united and loyal petition to his majesty and to communicate to the honorable house of commons of Great Britain, against the aforesaid acts of parliament, therein dutifully, yet most firmly, asserting the colonies' right of exemption from parliamentary taxation; and praying that they may not in any instance be stripped of the ancient and most valuable privilege of a trial by their peers, and most humbly imploring relief.

"In testimony whereof, we have hereunto set our hands, at New Castle, the twenty-first day of September, Annoque Domini, 1765.

"Evan Rice, Thomas Cook, William Armstrong, George Moore, John Evans."

Similar certificates, in substance, were signed by the members of the General Assembly from Kent and Sussex, as the Assembly could not be convened in time, as a body, to take action. The certificate from Kent was signed by John Vining, John Caton, John Berne, William Killeen and Vincent Lockerman. That from Sussex County was signed by David Hall, Benjamin Burton, Levin Crapper, Thomas Roberts, Jacob Kollock, Jr.

1777, chief justice of Pennsylvania for twenty-two years, each State claiming him as her own. In Congress his work was important and multifarious. He was a member of the committee to state the rights of the colonies, the secret committee to contract for the importation of arms and ammunition, and the committee on the confederation of the colonies. When George Read refused to vote for the Declaration of Independence, Mr. McKean sent a messenger to Delaware to summon Cesar Rodney in order that the affirmative vote of the State might be cast, and the obstruction offered by Mr. Read was overcome. Mr. McKean was at that time colonel of a regiment of Associators in Philadelphia, with which he served in the Flying Camp for the remainder of the summer of 1776. In October he was elected a member of the Delaware Convention, and Robert Waln, Jr., author of the "Biographies of the Signers of the Declaration of Independence," relates that on his arrival at Dover "a committee of gentlemen waited on him and requested that he would prepare a Constitution for the future government of the State. To this he consented. He retired to his room in the tavern, sat up all the night, and having prepared it without a book or any assistance whatever, presented it at 10 o'clock next morning to the House, when it was unanimously adopted." In 1777 he acted in the double capacity of President of Delaware and chief justice of Pennsylvania. On July 10, 1781, he was chosen president of Congress, which office he resigned on October 23d, but at the request of Congress served until Nov. 5th. A storm of opposition was aroused to his holding two or more offices at the same time, but he continued in the discharge of his duties. He was chief justice of Pennsylvania until 1799, when he was elected Governor of the State, a success which opened the way for the accession of Mr. Jefferson to the Presidency, of whom he was a warm supporter. In January, 1808, an unsuccessful attempt was made to impeach him. It would have been possible for him in 1803 to become the candidate of the Republican party for Vice-President, but he refused to permit the use of his name. After retiring from the Governorship of Pennsylvania, at the close of 1808, he held no further public position, and died June 24, 1817.

Cesar Rodney, born at Dover in 1730, was descended from the ancient English family of De Rodney, who trace their lineage back to the thirteenth century. The earliest record of the family is found in an ancient book belonging to the Cathedral of Wells, in which the name of De Rodney is mentioned in connection with the founding of that church, three hundred years before the Norman Conquest. Rodney Stoke was then their residence. A small river in Wales is called "Abba Rodney," in memory of one Sir

Richard De Rodeney, who, with his son Richard, was slain there in 1234 by Leolin, Prince of Wales. Another Sir Richard de Rodeney accompanied Richard, Cœur de Lion, to the Holy Land, and was killed at the siege of Acre. Sir Walter De Rodeney was knighted in the great hall of the Abbey of Rainham, county of Somerset, in the second year of Edward II. "Margaret Rodeney married Thomas Burdett, of Arrow, who was beheaded in the 17th year of Edward IV. for words spoken concerning a white buck." It is elsewhere told that the King, while hunting in Burdett's forest, shot this buck, which was much valued by its owner, who said in great anger "he would that



the horns of the buck were down the throat of him who killed it." For many generations the family was possessed of vast estates in Somersetshire, most of which were lost in the wars of the Commonwealth, and soon after Penn's settlement in America, William Rodeney came over and selected a new home in Kent County. Dying in 1708, he left a son Cesar, who married the daughter of Rev. Thomas Crawford and became the father of the Revolutionary statesman and soldier. The latter inherited the large property of his ancestors, and in 1758 was chosen high sheriff of Kent, which county he represented in the Assembly of 1762-63, that began the revolutionary movement in Delaware. He was appointed a delegate to the General Congress of the provinces, and in 1766, in con-

junction with George Read and Thomas McKean, framed the address to the King thanking him for the repeal of the Stamp Act. During the next two years Rodeney, (now spelt Rodney) was a member of the Legislature, and brought in the proposition, which was defeated, to forbid the further importation of slaves into the province. When the new aggressions of Great Britain overthrew the expectations of safety in which the colonies had indulged, Rodney, again in consort with McKean and Read, wrote that address to the crown in which armed resistance to tyranny was foreshadowed. He was suffering at this time from the cancer which spread over one side of his face and ultimately caused his death. Philadelphia physicians, to whom he had resorted for aid, concurred with the members of his family in advising him to go to Europe for medical treatment, and the only thing that prevented him from doing so was his consciousness that a great crisis was upon America, and that he was needed at home. It was hardly as well known then as it is now that cancer of the face is incurable, and Mr. Rodney's refusal to absent himself from his imperiled country for any personal considerations affords an index to his heroic character. When the Assembly met in October, 1769, he was chosen Speaker, an office which he retained for several years, and he was also chairman of the Committee of Correspondence and Communication with the other colonies. The convention that assembled at New Castle on August 1, 1774, made him a delegate to the Continental Congress, in which he was appointed a member of the committee instructed to state the rights of the colonies and the means for obtaining a restoration of them. The Delaware Assembly, in March, 1775, re-elected him to the next Congress and conferred upon him the office of brigadier-general. In the succeeding spring and summer his attention was divided between the affairs of Congress and the organization of the Delaware militia. He was absent in the lower counties of Delaware on the latter business while the question of separation from Great Britain was being agitated in Congress, and, being summoned by a special messenger from Mr. McKean, arrived in Philadelphia just in time to give his vote in favor of the Declaration of Independence. He was so sick a man at the time, that John Adams thus described him: "Cesar Rodney is the oddest-looking man in the world; he is tall, thin and slender and pale; his face is not bigger than a large apple, yet there is sense and fire, spirit, wit and humor in his countenance." In spite of his being one of the signers of the Declaration, the Delaware Convention, in the autumn of 1776, which was controlled by the Tory and conservative element, refused to re-elect him to Congress, but he continued to be a member of the Council of Safety and Committee of In-

spection, and in January, 1777, made a visit to the Delaware regiment in camp at Morristown, New Jersey, for the purpose of giving them encouragement and ameliorating their hardships. While there are no records of the fact, all the circumstances indicate that on this, as on other occasions, he drew liberally upon his private funds to furnish the starving and ragged soldiers with clothing and provisions. He remained with the army nearly two months, performing the duties of brigadier-general, and even after the enlistment of the Delaware troops had expired, he offered his services in any capacity to General Washington, who spoke in high appreciation of him, but declined to longer detain him from his home affairs. He refused an appointment as one of the judges of the Supreme Court, which had just been organized, and by retaining his military office was enabled to suppress a Tory insurrection in Sussex. When, in the autumn of 1777, the British landed upon the shores of the Delaware, and Washington's headquarters were in the northern part of the state, Rodney hastened to his aid with all the troops he could collect in Kent, and endeavored, though with but partial success, to take with him the militia of New Castle County. By directions of Washington, he placed himself south of the main army, so as to watch the movements of the British, and, if possible, cut them off from their fleet. On December 17th he was called to take his seat in Congress, but determined to remain in Delaware in order to counteract the insidious work of the Tory party. He was not destined to re-appear in Congress, for in a few days he was elected President of Delaware, which he retained about four years. The correspondence of Washington during this period shows how often he turned to President Rodney for military supplies, and with what energy the latter collected cattle and stores for the army. In 1782 he declined a re-election to the Presidential office, and although in that year and the next he was chosen delegate to Congress, his illness kept him at home. The cancerous eruption had so spread over his face that he was obliged to cover it with a screen. He died June 29, 1784 (as some authorities give it, although it is believed the date is not precisely known), and was buried in an open field on Pardee's farm, in Jones' Neck, about four miles from Dover. A rough stone, with his name inscribed thereon, is the only mark of his grave, but at the present time (Dec., 1887) a plan is being formed by the young men of Dover to remove the remains to one of the public squares of the State capital and erect over them an appropriate monument.

Wm. Rodeney, the pioneer of the Rodney family in Delaware, came to America with William Penn. He lived in Philadelphia from 1682 to 1690 and

then settled in Dover. He was Speaker of the first Delaware Legislature, and died in 1708. In 1688 Mr. Rodney married Mary Hollyman, of Philadelphia, who died in 1690, leaving one son, William. In 1693 Mr. Rodney married Sarah Jones, daughter of Daniel Jones, of Sussex County, and their only child was Cesar Rodney, who married Mary, daughter of Rev. Thomas Crawford. Cesar Rodney was the father of the American patriot Cesar Rodney and Col. Thomas Rodney, also a participant in the memorable struggle for independence.

Col. Thomas Rodney, son of Cesar Rodney, was born in Sussex County, June 4, 1744. He was a delegate from Delaware to the Continental Congress from 1781-83 and 1785-87. He was also a member of the "Council of Safety;" of the General Assembly for several terms; judge of the Courts of Admiralty and Common Pleas; colonel in the Delaware militia, and rendered important services to the Continental army during the Revolutionary War. He was appointed United States Judge of Mississippi Territory in 1802, until his death, January 2, 1811.

Thomas McKenn Rodney was born in Wilmington Sept. 11, 1800, and died April 24, 1874, at his residence in his native city. He was a son of Cesar A. Rodney and was a cadet at West Point early in life, but resigned his commission to adopt the profession of law. In 1823 he was secretary of the American legation at Buenos Ayres (his father being minister), and he was subsequently consul-general at Havana, and at Matanzas, Cuba. He was a Republican Presidential elector in 1856, and the following year was a member of the Legislature. He was collector of customs from 1861 to 1866.

Governor Daniel Rodney was born in Lewes, Sept. 10, 1764, and while still in his minority had charge of a sailing vessel on the Delaware, becoming on two different occasions a prisoner of war. He afterward served as judge of the Court of Common Pleas for a number of years, and in 1809 was a Presidential elector. From 1814 to 1817 he served as Governor, and as a member of Congress in 1822-23. He was also elected to the United States Senate in 1826-27. Governor Rodney married the daughter of Major Henry Fisher, of Lewes, and died on Sept. 2, 1846.

Hon. John Dickinson, eminent as a writer on political topics and as a Delaware statesman, was born in Maryland, Nov. 13, 1732, and died in Wilmington, Feby. 14, 1808. His father was Judge Samuel Dickinson, of Dover. John Dickinson studied law in Philadelphia, and at the Temple, London, and practiced successfully in Philadelphia. He was elected to the General Assembly of Pennsylvania in 1764, and became well known by his publications on the attempted

infringement of the liberties of the colonies by Great Britain. In his "Address to the Committee of Correspondence in Barbadoes," which had censured the northern colonies for their opposition of the Stamp Act, he made a masterly defense of the colonies. This address was published in Philadelphia in 1766. He was a deputy to the First Colonial Congress in 1765, and drew up its resolutions. In 1767 his "Farmer's Letters to the inhabitants of the British Colonies" attracted much attention. They were republished in London with a preface by Dr. Franklin, and afterwards in French in Paris. In 1774 he published his



John Dickinson

"Essay on the Constitutional Power of Great Britain over the Colonies in America." The same year he was a member of the First Continental Congress, from Delaware, and wrote "the Address to the Inhabitants of Quebec," "the Declaration to the armies," the two petitions to the King, and "the Address to the States," all of which are important State papers. He opposed the Declaration of Independence, deeming it premature, and did not sign it. In consequence of this action he was for a time absent from public life. In October, 1777, he was made brigadier-general of the Pennsylvania militia, having previously served in the Continental army as a private. In 1779 he returned to Congress from Delaware. From 1781

to 1785 he was President of Delaware and Pennsylvania successively, and a member of the convention which framed the Federal Constitution. In 1788 he published his "Fabius" letters advocating the adoption of the new Constitution, and another series of "Fabius" letters in 1797 on the relations of the United States with France, comprised his last work of this character. He was a member of the Delaware Constitutional Convention of 1792. The political essays of Mr. Dickinson were published in two volumes in 1801. He founded the Dickinson College at Carlisle, Pa., and endowed it liberally. Mr. Dickinson was married July 19, 1770, to Mary, daughter of Isaac Norris, of Fair Hill, Pa., and two daughters survived him. Governor Dickinson's last residence in Wilmington was at the northwest corner of 9th and Market Street. The site is now occupied by the Wilmington Institute building. The Dickinson mansion was owned by Richard H. Bayard



JOHN DICKINSON'S MANSION.

for many years. He lived in it when a member of the United States Senate.

General Philemon Dickinson, a daring officer of the Revolutionary army, was born near Dover, April 5, 1739. He was educated under Dr. Allison, in Philadelphia, and became a small farmer near Trenton, N. J. In 1775 he entered the army and was placed in command of the New Jersey militia. With a force of only four hundred men, he attacked and defeated a large foraging party of the enemy on January 21, 1777. He commanded the militia at the battle of Monmouth. General Dickinson represented Delaware in 1782-83 in the Continental Congress, and in 1784 was a member of the commission to select a site for the national capital. From 1790 to 1793 he was a United States Senator. He died near Trenton, Feb. 4, 1809.

Recently-published minutes of the Executive Council of Delaware, throughout the War for Independence, 1776-83, exhibit remarkably the unfaltering devotion and intelligent courage of her

rulers and citizens throughout that eventful struggle.

In all these events appears the name of a quiet and most efficient actor, who was Richard Bassett, who seems to have unceasingly pressed the forces of the State—moral and material—in aid of the "Rebellion," and in 1785 was present at the Annapolis Convention as a delegate from Delaware, when and where the impetus was lent which led to the Continental Convention of 1787 in Philadelphia, and of the formation of the Federal Constitution.

While the fate of the proceedings of the Constitutional Convention was surrounded by doubt, and the Union was hanging loosely together with its "ropes of sand," Delaware, under the active lead of Mr. Bassett, hastened in 1787 to lead the way to the adoption of the new government by her unanimous adhesion to the new Constitution on December 7th of that year.

The importance of this act of decision at this juncture can hardly be over-stated, and to appreciate its character and value it is only necessary to contrast it with the hesitation and dilatory action of most of the other larger States, such as Virginia and New York, not to mention North Carolina and Rhode Island, who joined the Union so reluctantly and slowly.

Mr. Bassett went at once into the United States Senate, and when the new government had gotten fairly under way, resigned and returned home to Delaware, having served from 1789 to 1793. While in the Senate he was the first man who cast his vote for locating the seat of government on the Potomac. He was a Presidential elector in 1797, and Governor of Delaware from 1798 to 1801. He served as chief justice of the United States District Court in 1801 and 1802. He was an eminent statesman and lawyer and a prominent member of the Methodist Church. His affluent circumstances enabled him to entertain extensively at his residences in Wilmington, Dover and Bohemia. He died in September, 1815. His daughter was the wife of the distinguished statesman, Hon. James A. Bayard.

Shepherd Kollock, a distinguished Delawarean, Revolutionary officer and journalist, was born in Lewiston in 1750 and died in Philadelphia July 28, 1839. He was commissioned a lieutenant early in the struggle for American independence, and was engaged at the battles of Trenton, Fort Mifflin, Red Bank and others. He resigned in 1779 and started the *New Jersey Journal* at Chatham. He removed to New York in 1783 and established the *New York Gazette*; from thence he went to Elizabethtown in 1787, and revived the *New Jersey Journal* and conducted it for thirty-one years. He was judge of Common Pleas thirty-four years and post master of Elizabeth until 1829.

George Ross, an earnest American patriot and signer of the Declaration of Independence from Pennsylvania, was born in New Castle in 1730. He was educated by his father, who was pastor of the Episcopal Church of New Castle, and studied law in Philadelphia. In 1751 he located in Lancaster and was a member of the Pennsylvania General Assembly in 1768-70. In 1774 he was elected to the First General Congress at Philadelphia and was charged with the duty of reporting to the Assembly instructions for himself and associates. The following year, in reply to Governor Penn's message, he drew up a report advising against any action on the part of the colony. He also wrote a report on measures necessary to put the city of Philadelphia and the colony in a state of defense. After signing the Declaration of Independence he was compelled, in 1777, to resign his seat in Congress. He declined a plate testimonial from the people of Lancaster. Mr. Ross was delegate to prepare a declaration of rights by the convention which assembled after the proprietary government was dissolved. He was a successful mediator with the Indians and was appointed a judge of the Admiralty Court in 1779. He died in Lancaster in July, 1799.

General Thomas Collins, a prominent figure in the history of Delaware, particularly at the time of the Revolutionary War, was born in 1732. In his early career he was high sheriff of Kent County and member of the General Assembly. He was a member of the Council of Safety in 1776 and was made brigadier-general of militia from 1776 to 1783. During his active labors in this position he experienced a rigorous campaign in 1777 in New Jersey, and later harassed Sir Wm. Howe's army in its passage through New Castle County. He was a member of the new Constitutional Convention, chief justice of the Court of Common Pleas, and President of the State from 1786 to 1789. General Collins died near Duck Creek, Kent County, March 29, 1789.

Hon. Nathaniel Mitchell was one of the early representatives of Delaware in the legislative branch of the national government. He served as delegate to the Continental Congress from this State from 1786 to 1788.

Governor Bedford Gunning, who died in 1797, was lieutenant-colonel in the Revolutionary army, and after the declaration of peace was attorney-general of the State, member of the Legislature, and represented Delaware in the Continental Congress from 1783 to 1787. He was elected executive of the State in 1796. He was also a member of the National Constitutional Convention in 1787. After leaving the gubernatorial chair he was appointed by Washington the first judge of the United States District Court for Delaware.

Major John Patten, of Revolutionary fame, was born in Kent County April 26, 1746. He was a

farmer and at the beginning of the Revolution was commissioned first lieutenant of Captain Caldwell's company, in the First Delaware Regiment. Upon the reorganization of the regiment, after the battle of Princeton, Captain Patten's company was the first to re-enlist for the war. Owing to the severe wound received by Colonel Hall at the battle of Germantown, causing him permanently to retire from the command of the regiment, there were several changes in the field officers. Captain Patten became major by seniority. Major Patten participated in all the battles of the war from Long Island to Camden, in all of which his command received the highest praise. At the latter battle Major Patten was taken prisoner and sent to Charleston. He was released on parole, and it is said walked almost the whole distance from Charleston to his home in Delaware. He did not secure his exchange in time to enter into active service before the surrender of Cornwallis at Yorktown, in October, 1781. After the close of the war he resumed his occupation of farming, but his fellow-citizens did not permit him to remain long in retirement from public affairs. He was a member of the Legislature from Kent under the first State Constitution, a delegate to the Continental Congress from Delaware in 1785-86 and was elected to the Congress of the United States in 1792 and again in 1794. His seat in the Third Congress was successfully contested by his opponent, Henry Latimer, on the ground of a technical irregularity, and although the major had received a majority of the votes cast, he was obliged to retire. He was returned to the Fourth Congress and took his seat without further opposition. He died at Tynhead Court, near Dover, December 26, 1800. Major Patten, in the latter part of his life, resided for some portion of the year in Wilmington, in a substantial three-storied brick house, which he had built on the north side of Front Street, between Orange and Tatnall Streets, and which is still standing. His portrait, which was painted by Peale, represents him in his uniform of major. The features are regular, the complexion florid, with dark eyes and hair, and the whole expression is indicative of intelligence and firmness. He was twice married,—first to Miss Ann, the younger daughter of Colonel Haslett. The only child by this marriage died in infancy, and the mother did not long survive. His second wife was Mrs. Mary Lockerman, the widow of Vincent Lockerman, the younger, and daughter of Rev. John Miller, both of Kent County. She survived the major only three months, and was buried by his side in the Presbyterian church-yard at Dover, where a modest tomb still marks their resting-place. The only two children of this last marriage were Ann, who married John Wales, and died November 10, 1843, and Joseph Miller, who died, unmarried, December 11, 1887.

Major Richard Howell, Revolutionary soldier and statesman, was born in Delaware in 1754. He was a lawyer by profession and commanded a company of grenadiers prior to the war for independence. In 1775 he was appointed captain of the Second New Jersey regiment. He distinguished himself at Quebec, was promoted to major in 1776 and continued in command of his regiment until 1779. In September, 1782, Major Howell was appointed judge advocate of the American army, but declined to accept. He was clerk of the Supreme Court from 1778 to 1792 and Governor from 1794 to 1801. He died at Trenton, April 28, 1802.



Richard Howell

Rev. David Jones, a Baptist clergyman and celebrated as a Revolutionary patriot, was born in White Clay Creek, New Castle County, May 12, 1736. His ancestors settled at the "Welsh Tract" early in the seventeenth century. Rev. Mr. Jones was for many years pastor of the Upper Freehold Church in New Jersey, which he abandoned temporarily in 1772-73 to go on a gospel mission among the Shawnee and Delaware Indians. His patriotism made him so much an object of hatred to the Tories, that, believing his life to be endangered, he settled in Chester County, Pennsylvania, in 1775 and had charge of the Great Valley Baptist Church. He was chaplain of a Pennsylvania regiment under St.

Clair at Ticonderoga, served in two campaigns under Gates and in all the campaigns of General Wayne, narrowly escaping at the Paoli massacre. He served in the War of 1812 under General Brown and Wilkinson, at the age of seventy-six years. He died February 5, 1820.

Col. Allen McLane, the distinguished Revolutionary officer and statesman, became a citizen of Kent County in 1774. He was born in Philadelphia August 8, 1746. In 1775 he enlisted as lieutenant in Caesar Rodney's Delaware regiment. In 1776 he joined the army of General Washington, distinguished himself at the battle of Long Island and was also at White Plains and Trenton. At Princeton his gallantry won him the appointment of captain and he received his commission from Washington in 1777. He commanded the outposts of Philadelphia, and in July, 1779, was made a major in Lee's Legion, taking a prominent part in the battles of Paulus Hook and Stony Point and the siege of Yorktown. As a civilian he was a member and Speaker of the Delaware Legislature, for six years a privy counselor, for many years judge of the Court of Common Pleas; marshal of the Delaware District from 1790 to 1798 and collector of the port of Wilmington from 1808 until his death, which occurred May 22 1829. Col. McLane was the father of Louis McLane, the statesman, and grandfather of Robert M. McLane, late Governor of Maryland, and now (1887) United States minister to France.

As a soldier Col. McLane was famous for his daring and intrepidity, and conducted his operations with a dash similar to that of the celebrated Light Horse Harry Lee, with whom he was frequently associated. He sent his spies into the British lines at Philadelphia disguised as farmers, and at times provisioned the enemy at market rates with "beef," which was nothing more nor less than the carcasses of British cavalry horses killed by the bullets of Continental soldiers. Colonel McLane's feats of daring were numerous. On one occasion he fell into an ambuscade near Philadelphia, accompanied by only four troopers, his company being far in the rear. One of his attendants saw the enemy and crying out, "Captain, the British!" fled with his companions. McLane saw the enemy drawn upon both sides of the road and a file of them fired on him. He, however, dashed away, followed by a shower of bullets, and ran into a larger body of British. Turning abruptly away from them, he pursued his flight followed by a dozen troopers. Of these he distanced all but two, one of whom he shot and the other he engaged in a hand-to-hand conflict, during which he received a severe sabre-wound in the hand. Finally he succeeded in killing this antagonist also, and then took refuge in a mill-pond, where he remained naked until the cold

water stopped the flow of blood from his wound. Another time, being surprised by a dozen troopers, he charged through them and escaped.

Hon. Louis McLane, son of Colonel Allen McLane, and celebrated for his public services, was born in Smyrna, May 28, 1786. In 1798 he entered the navy as midshipman, and cruised for a year under Commodore Decatur, in the frigate "Philadelphia." He studied law with Hon. James A. Bayard, and was admitted to the bar in 1807. In 1817 he was a member of Congress from Delaware, and remained in that office until 1827. During this period, in opposition to his constituency, but on conscientious grounds, he voted against permitting slavery in Missouri. From 1827 to 1829 he was United States Senator, and minister to England from 1829 to 1831. In the latter year, on his return, he entered the Cabinet as Secretary of the Treasury until 1833, when he was appointed Secretary of State, and retired from political life the following year. Mr. McLane was president of the Baltimore and Ohio Railroad Company from 1837 to 1847, and in 1845 was entrusted by President Polk with the mission to England during the Oregon negotiations. He was a delegate to the Reform Convention at Annapolis in the winter of 1850-51. In 1812 Mr. McLane married the daughter of Robert Milligan. He died in Baltimore, October 7, 1857.

Robert Milligan McLane, son of Hon. Louis McLane, was born in Delaware, June 23, 1815; graduated from West Point in 1837, and served in Florida as second lieutenant First Artillery; in 1841 went to Europe to examine the dyke and drainage system of Holland; in 1843 located in Baltimore in the practice of law; elected to the Maryland General Assembly in 1845; to Congress 1847-58; minister to China in 1853; minister to Mexico in 1859; State Senator from Baltimore City in 1878; returned to Congress in 1879 and in 1881; Governor of Maryland in 1883, and appointed minister to France by President Cleveland during his term.

Colonel John Haslet was Irish by birth, but for several years preceding the war lived at Dover. He had been educated for the Presbyterian ministry, and preached frequently after coming to America, but subsequently abandoned the pulpit and became a practitioner of medicine. He was a large, athletic and handsome man, and in courage and impulse a typical Irishman. From the earliest days of the American conflict he was a stalwart Whig, and Caesar Rodney early fastened upon him as a fit man for military command. Rodney wrote him daily from the Continental Congress in the early summer of 1776, inciting him to the work of raising troops. When the Declaration of Independence was adopted Rodney despatched a mounted messenger, Ensign Wilson, on the night of July 4th, to carry the news to Haslet. He

found Haslet at Dover, extremely busy enlisting men. "I congratulate you, sir," wrote Haslet in reply, "on the important day which restores to every American his birthright,—a day which every freeman will record with gratitude, and the millions of posterity read with rapture. A fine turtle feast at Dover announced and anticipated the declaration of Congress." After the death of Haslet, at Princeton, his body was deposited in the burial-ground of the First Presbyterian Church in Philadelphia. In 1783 the Delaware Legislature caused a marble slab to be placed over his grave, and on February 22, 1841, they



HON. LOUIS McLANE.

appointed a committee to superintend the removal of the corpse to a vault to be built in the Presbyterian Church at Dover, and authorized them to have a suitable monument, with appropriate inscriptions and devices, placed over his final resting-place.

On July 1, 1841, his remains were disinterred and conveyed to Dover, escorted by the military of the city of Philadelphia; and on July 3d, after impressive religious services and an eloquent address from the Hon. John M. Clayton, they were deposited in the vault prepared for them. The slab placed over his grave in Philadelphia, in 1873, is preserved, by having been made one of the sides of this tomb, and bears this inscription:

"In memory of JOHN HASLET, Ensign, Colonel of the Delaware Regiment, who fell gloriously at the battle of Princeton, in the cause of American Independence,
January 3d, 1777.

The General Assembly of the State of Delaware, remembering
His virtues as a man,
His merits as a citizen,
and

His services as a soldier,

Have caused this monumental stone, in testimony of their respect,
To be placed on his grave,
MDCCCLXXXIII."

The other inscription on the monument is :

" Erected by the State of Delaware,
as a tribute of respect,
to the memory of Colonel JOHN HASLET,
whose remains, according to a resolution of Legislature,
passed February 22, 1841,
were removed from their resting-place,
in the grave yard of the First Presbyterian Church,
in the city of Philadelphia,
and here re-interred
on Saturday, July 3d, 1841."

Colonel Haslet left a son and two daughters. The son, Joseph Haslet, was twice, in 1811 and 1823, elected Governor of this State, - an honor Delaware never conferred upon any other citizen.

One of his daughters, Jemima, married Dr. George Monro, who was a skillful and learned physician, resident in Wilmington from 1797 until his death, in 1820. Of Dr. Monro's children, the only survivor was Mrs. Mary A. Boyd, of Wilmington. The other daughter of Colonel Haslet married Major Patten, but died childless.

Major Robert Kirkwood, a gallant Revolutionary officer, was born near Newark. After being educated at the Newark Academy he engaged in farming, but abandoned that occupation to enter the army. He enlisted as lieutenant in Haslet's regiment in January, 1776, and participated in the victories of Trenton and Princeton, as well as the disaster at Long Island. He was promoted to a captaincy and was engaged in all the important battles during the three succeeding campaigns. In 1780 his regiment went South with General Gates, and suffered severely at Camden. The survivors under Kirkwood and Jacquet were attached to Lee's Legion as light infantry, and at Cowpens, Guilford, Eutaw and other engagements Major Kirkwood distinguished himself. At the close of the war he was brevetted major and soon settled in Ohio, opposite Wheeling. He was killed at the battle of Miami, November 4, 1791.

Captain Caleb Bennett, Governor of Delaware from 1832 to 1836, and the last surviving officer of the Delaware Line, was born in Chester County, Pa., near the State line, November 11, 1758, and died at his residence on Market Street, next door south of the Lohr Building, May 9, 1836, at the age of seventy-eight years, after a lingering illness. He removed with his parents to Wilmington in 1761. In 1775, when but seventeen, his patriotic father placed him in the ranks as a soldier to fight for the cause of American independence. In the following year, with the Delaware regiment, he joined Washington's army at New York. He was promoted to the position of sergeant in 1776 and ensign in 1777, and with his company formed part of the detachment under General Sullivan in the attack on Staten Island. On September 11th of the same year he participated in the battle of Brandywine, and on the

4th of October following in the battle of Germantown, where the Delaware regiment lost in killed and wounded seven out of thirteen officers, and about one-third of the privates. Captain Holland, in command of the company, was killed and Ensign Bennett was wounded. In 1778 he joined General Washington at Valley Forge and afterwards was present at the battle of Monmouth. In 1780 he was promoted lieutenant, and his company, as part of the detachment under Baron De Kalb, was ordered to South Carolina, and on the 16th of August fought at the memorable battle of Camden. De Kalb being mortally wounded, he dictated before his death a letter expressive of the gallantry of the Delaware regiment, which in this engagement lost nine officers out of nine companies. Lieutenant Bennett was then sent to Delaware to raise recruits, and in 1781, with one hundred and twenty men he joined the French troops at Annapolis and proceeded to the siege of Yorktown. In this last crowning success of the American army Lieutenant Bennett bore a conspicuous part and commanded the left battery of the American force on the day that Lord Cornwallis surrendered.

He was present at the evacuation of Charleston, South Carolina, and remained in active service until the army was disbanded in 1883. He was then twenty-five years of age, eight of which were spent in the service of his country, and he endured the severest hardships; he was thrice wounded. When war was declared in 1812 he was appointed a major and had command of the forces at New Castle, remaining until the treaty of peace was signed. He was appointed treasurer of New Castle County and served until 1832, when he was nominated for Governor of the State and triumphantly elected November 13th of the same year, and died in office. Captain Bennett wore a queue until the time of his death. Late in life he drew a pension of three hundred and twenty dollars a year.

Major Lewis Bush was the son of David Bush, a prominent citizen of Wilmington in the latter part of the eighteenth century. Lewis had just prepared himself for the legal profession when the Revolutionary War began. He entered the colonial army, in which he became a major, and fell at the battle of Brandywine, September 11, 1777.

John Bush, brother of Major Lewis Bush, was a volunteer in the colonial army at the age of twenty years, and served through the Revolutionary War with the rank of captain.

Colonel David Hall, commander of the famous Delaware Line in the Continental army, was born January 4, 1752, at Lewes. He studied law and was admitted to the bar in New Castle County, August 18, 1773. While practicing his profession the Revolutionary War broke out and Colonel

Hall enlisted immediately as a private. Subsequently he recruited a company, of which he was elected captain. This company was attached to Colonel Haslet's command and gained considerable distinction at White Plains and Long Island. He subsequently recruited the celebrated Delaware Line regiment, and, April 5, 1777, was made its colonel. They participated at Brandywine, Germantown and Monmouth, were with Washington at Valley Forge and during the remainder of the war fought in the important battles, doing distinguished service in various lines of duty and earned a reputation second to no other troops in the Continental army. Colonel Hall was wounded at the battle of Brandywine. At the close of the war he resumed the practice of law in his native town and was elected Governor of the State, continuing in office until 1805. He was also an associate justice. His wife was Catherine Tingley, of New York. Colonel Hall died at Lewes, September 18, 1817. His son, Joseph Hall, was admitted to the bar October 10, 1809, but died soon after in early manhood.

Joseph Shallcross, who was a leading member of the Friends, was a true patriot and Washington knew it. Just before the battle of Brandywine the general sent a woman to Shallcross with a letter quilted in her petticoat. An answer was returned in the same way to Washington, giving him an account of the position of some squads of the British and of the fleet on the Delaware.

Captain James Montgomery, of Wilmington, commanded a small armed vessel in the Continental service. He was a Scotchman by birth. One day, while sitting at breakfast in the sign of the "Ship," southeast corner Third and Market Streets, news was brought to him that several store-ships of the enemy were coming up the Delaware. Rising from the table, with an air of confidence, he said, "Now is my harvest-time." Quickly manning his vessel, she started for the mouth of the Christiana and down the Delaware as fast as her sails would bear her. Before sunset she turned up the creek amidst the shouts of the patriots who gathered along the banks. Three valuable prizes, the cargoes of three British vessels, were captured and brought into port. The gallant captain was hailed as a victor and carried through the streets in triumph on a large chair, supported by eight men. In the mean time a few daring patriots boarded and captured another store-ship of the enemy on the Delaware, near the mouth of the Christiana. She was on her way to Philadelphia.

Captain Joseph Stidham resided in a beautiful home, which he called White Hall, near the Brandywine. He commanded a company of militia during the war. When the men-of-war "Roe-buck" and "Liverpool," with their tenders, sailed up Delaware Bay, and bombarded Wilmington,

the inhabitants could make but feeble resistance. As it was known to the commander of the "Roe-buck" that a small body of soldiers was in the town, on its way to join Washington, a company of Hessians were sent ashore in boats to attack and disperse the party. The men, who were few in number, could make no stand against the Hessians, backed by the cannon of the men-of-war. They were hidden hastily by their friends. One of them, who was Captain Joseph Stidham, after discharging his rifle in the face of the approaching line of soldiers, fled for his life, and took refuge in the house of his cousin, Jonas Stidham, on the outskirts of the village. The gunners on the "Roe-buck" saw him enter it, and they turned their fire upon the house. The Hessians attacked it furiously. "The balls rained down upon the roof." The mercenaries broke down the doors and windows, and rushed into the house searching for the Yankee captain. It was a large, rambling building, with many closets and lean to. But Stidham took refuge in none of these. Passing through the house, he reached the barn-yard, and crept into the hollow trunk of an oak-tree, in which he had often played hide-and-seek when a boy. It was so long since he was hid in it, that the moss and lichen hung over the opening. The Hessians searched for him in vain. Two of them, it is said sat down upon the log while he was in it. They returned to the ship at nightfall, and he escaped to join Washington.

The adventures of Captain Kean, of the Delaware Line, and Captain Hugh Montgomery, of the Volunteer service, about the same time, were just as thrilling, and yet more amusing. The former was suffering with ague, and the latter was with him, in a house at the corner of Second and French Streets later owned by Mr. Keisler. When the British entered Wilmington on the morning after the battle of Brandywine, they heard of their whereabouts, entered the house and searched it from cellar to garret, but failed to find the "—rebels," as they called them. The patriot officers were concealed in the chimney on the attic, and thus eluded discovery.

"It's too hot here," said Captain Montgomery to his companion; "we may be discovered yet by those red-coats."

"But how shall we escape?" inquired Captain Kean, shivering both with fear and ague.

"Let us call John Stapler, a Quaker, next-door, and consult with him," said the former.

Stapler came, dressed Captain Montgomery in the plain black suit then worn by a minister among the Friends, and placed his own best garments, including a low-crowned, broad-brimmed hat, on Captain Kean. He borrowed a large vest of John Benson, a neighbor, for him, and placed a pillow under it, to imitate corpulency.

In the afternoon both officers walked down street in their Quaker suits, when one of the soldiers asked Captain Kean how long he had been dropsical. They returned to the house, and later in the afternoon walked to the Brandywine, where the pillow was dropped, and they quickly made their way for the marshes along the Delaware, entered a small boat and began to row for the Jersey shore. They had gone but a short distance, when they found that the boat leaked. Captain Kean bailed the water out with his hat while his companion pulled the oars with great vigor. One of the enemy's vessels bore in sight, and several shots were fired, but the two officers arrived on the Jersey shore in safety. Captain Kean died of yellow fever in 1802, when it raged in Wilmington. Captain Montgomery commanded the brig "Nancy," mentioned in this chapter.

On the southeast corner of Market and Second Streets, Wilmington, stood the residence of Thomas Wallace, a block-maker, who was a man of means and a patriot. He exchanged all his coins for Continental money, which would not pass when the British held the city, and he was compelled to ask assistance of Mr. Shallcross, his neighbor. One day a British soldier asked his wife to bake some bread for him, which she did, when the soldier gave her flour in pay for her work. She did the same repeatedly, but always told the English that her prayers were for the patriot cause. Her daughter married Captain Thomas Baker, of Boston. He left Wilmington in the brig "Welcome," in 1815, for St. Thomas, West Indies, and was never heard of afterwards. It was thought the vessel was wrecked. His widow died in Elkton, Maryland, in 1852.

Sally Erwin, of Wilmington, married Israel Israel, who entered the service of his country during the war. The British knew it, and sent a squad of men to his home, on the shore of the Delaware, to capture his cattle, but the brave Sally, like Barbara Frietchie on a future occasion, dared the red coats to shoot them or her, as she defiantly drove her live stock into a stable, where they remained.

Captain Henry Geddes, one of the conspicuous soldiers of the Revolution from Wilmington, was born in Dublin, Ireland, June 13, 1749, and educated at Trinity College, in that city. At the age of nineteen he entered the British navy as midshipman, and continued in that service several years. In 1775 he came to America, landing at Wilmington. At the outbreak of the Revolution he entered the American army as quartermaster of Colonel Duff's Delaware regiment, and was with that command during 1776-77. In December, 1777, he returned from the army and took charge of a merchant vessel at Baltimore. Soon after this he became a captain in the United States navy.

He commanded the sloop-of-war "Patapsco," and with it rendered important service to the country. He passed through many perilous adventures. In 1778 his vessel was upset. He and twelve others escaped in a small boat. For seventeen days they were without provisions or water, except twenty pounds of damaged flour and a dog. Five of their number perished from hunger and thirst, when a brig, bound for Alexandria, Virginia, came to the rescue of the others. In 1793 his vessel was again wrecked. At the close of the Revolution he returned to the merchant service. In 1810, when in command of a vessel bound for Dublin, he was driven by a violent storm into the Irish Channel and wrecked near White Haven, but he and his crew were saved. After the close of the second war with Great Britain he made two extensive voyages, and in 1816 was appointed inspector of revenue for the district of Delaware, which office he held to the time of his death, December 1, 1833, at the age of eighty-four years. In 1776 he married Miss M. Latimer, of Wilmington, with whom he enjoyed fifty-seven years of wedded life. She was a noble and worthy woman. She survived her husband to the age of eighty-five years. The remains of both lie near the centre of the Presbyterian Church-yard, on the west side of Market Street. Their home in Wilmington was on the east side of Market Street, a few doors below Second.

On the south side of the Christiana, where it forms a point, is a tract of land for a century or more known as Long Hook farm. It was the patrimonial estate of Major Peter Jaquett, who served with distinction as an officer in the First Delaware Regiment during the Revolution. His remains were borne to his grave by sixty young men, who thus wished to do honor to his memory. His great-grandfather was a French Protestant, who was vice-director at New Amstel, in 1658. Major Jaquett was one of the first converts of this region to Methodism during the visit here of George Whitefield. His house was known far and near, and was visited by many persons who shared his hospitality. Washington, Lafayette and Bishop White were among his guests. He was one of the ideal patriots of the great struggle for independence, and he never wearied relating the stories of that eventful period, describing many thrilling scenes in which he was a participant. He was a great favorite of children, and loved to relate to them the stories of the past. By his house on the north side of the Causeway were tall sycamore trees, lofty poplars and beautiful evergreens. The birds of spring-time early visited him, built their nests in the shady places around his mansion, tuned their voices with sweet melody to entertain the old veteran and his guests, and remained until late in the fall. A beautiful ivy vine covered one

end of the dwelling. It was gathered from the castle where Mary, Queen of Scots, was imprisoned, and presented to Mrs. Jaquett. She, also, cultivated the first Champney rose in this vicinity, and was a great lover of the beautiful in nature.

On his tomb in the old Swedes' Church-yard is the following inscription :

"A distinguished officer of the Revolutionary army, who died at his residence—Long Hook Farm—near this city, September 13th, A. D. 1834, in the 80th year of his age, having been born on the 6th of April, 1755. On the 4th of January, 1776, he joined the Delaware Regiment, and until April, 1780, he was in every general engagement under Washington which took place in Delaware, Pennsylvania, New Jersey, New York and the Eastern States. He was then ordered to join the Southern army under General Gates; and with the brave De Kalb, he was in the battle of Camden, of the 16th of August, in which the Delaware Regiment, consisting of eight companies, was reduced to two only, of ninety-six men each, the command of which devolved upon his brave comrade Kirkwood and himself, as the oldest officers left of this gallant band. He was also in the battle of Guilford Court-House, the second battle of Camden and in the battle of Eutaw Springs. He assisted in the siege of '96, and capture of the village of that name; and was also in every action and skirmish under General Green, in whose army he remained until the capture of Lord Cornwallis at Yorktown. He returned to his native State in 1782, and in 1794 married Eliza P. Price, daughter of Elisha Price, of Chester, Pa.; and, as a farmer, he lived upon his paternal estate until his death. The brave and honored soldier—the kind and obliging neighbor and friend."

Captain David Kirkpatrick, one of the last heroes of the Revolution, who lived in Wilmington, entered the army in the Fourth New Jersey Line as a sergeant, but his courage and abilities soon attracted notice, and he was promoted to a lieutenant and then to a captain of rappers and miners, under the command of General Duportail. He was engaged in the battles of Monmouth, Germantown, Brandywine, Trenton, Cowpens and others. At Brandywine he distinguished himself, and received a sword at the hands of General Lafayette as a testimonial of the estimation in which he was held by that illustrious commander. Captain Kirkpatrick was much beloved by the soldiers under his command, and often, during his life, they visited him to testify their admiration and love for his courage and kindness. He was twice wounded, and the many hardships and trials which he endured in defense of his country aided materially in impairing his constitution. Late in life a severe fall disabled him from walking, and subjected him to much suffering. Never was old age more beautifully portrayed than in Captain Kirkpatrick. The gentleness of his manners, the quiet tones of his voice, the benign expression of his eye, rendered him an object of deep interest; and never was filial piety more lovely than was exhibited in the comforts which surrounded the aged veteran. The tender hands of affectionate children had long "rocked the cradle of declining age," and their ministry ended only with his life.

Captain Kirkpatrick was a member of the Presbyterian Church of Wilmington and a member of the Society of the Cincinnati. His descendants are prominent morocco manufacturers in Philadelphia.

John Hamilton was born in Scotland, where he resided until the invasion of Ireland by William of Orange, when he joined his army and for his meritorious conduct was given a large estate, which afterwards fell into the hands of Lord Knox. By what means he became dispossessed of that property is not known. In 1771 he removed with his wife and nine children to this country, and settled in White Clay Creek Hundred, New Castle County, where he resided until his death. Of his children, John became master of a Philadelphia merchantman and died in Liverpool, January, 1828; Archibald, who practiced law in Wilmington, successfully, and died October, 1841; James became captain of a merchant vessel and died at sea, July, 1826; Charles also a sea captain; Robert, one of the youngest sons, settled in or near Wilmington. Robert Hamilton married Ann Little, the daughter of Archibald Little, and resided in Wilmington fifty years. He served in the Revolutionary War at the battles of Trenton and Princeton. He filled various official positions under the general and state governments. Late in life he purchased a farm on the shores of the Delaware, just north of Wilmington, whither he removed his family, and there he dispensed the kind and generous hospitality for which he was distinguished. He is said to have had no enemies and was the peacemaker, the counselor and adviser of his neighbors. He died July 22, 1826.

Captain Samuel Lovering, who was a native of Boston, sailed from Wilmington at the age of seventeen. He entered the army at Boston, and being taken prisoner by the English was confined six months in the old "Jersey" prison ship, where so many of the youths of our country fell victims to disease and cruel treatment. He was spared to reach his birthplace, Boston, where, from his skeleton form and tattered outer garments, he was not recognized by his fond mother. When he recovered strength he preferred a life on the ocean, and Wilmington became his home. Here he married a daughter of Joseph Shallcross, in whose employ he sailed. During the European war in San Domingo he and his crew were pressed by the French commander to aid in quelling the insurrection. He was detained six months in actual service, enduring perils and hardships. He returned to Wilmington, but died young, leaving a widow and three small children.

Hance Naff, who died October 9, 1841, aged eighty-six years, was one of the last soldiers of the Revolution in Wilmington. He was of Swiss descent, and at the opening of the war was a member of Colonel Duff's regiment, Captain O'Flinn's company, and took part in all the engagements of his regiment. He lived for many years in a log

cabin near Cool Spring. His widow survived him to the age of ninety-five years. Hance Naff, their son, and a familiar personage in Wilmington in his last years, lived on the Kennet Road, (now Delaware Avenue). He died at eighty and his wife at eighty-five. H. J. Naff, the editor of the *Journal*, was his son.

Lydia Hall, an industrious colored woman, who lived to the age of one hundred and two years in a small house of her own on the west side of Market, just above Ninth Wilmington, had two sons in the War of the Revolution. One of them was captured by the British and never was returned; the other came home when peace was declared.

Jonathan Rumford, a worthy gentleman and shipping merchant, who owned the wharf above the drawbridge on the Christiana, leaned to royalty, but was not an avowed Tory. He then lived on Fourth Street, below Market. Some over-enthusiastic persons, without any definite cause, entered his dwelling and abused him in the most brutal manner. They fractured his skull with a blacksmith's hammer, and spread fire-brands through his house. Hugh Montgomery, the sea-captain, and militia captains Kean and Stidham came to his rescue at this instant and saved the house from destruction. Rumford partially recovered from his wounds, but his faculties were impaired; his business did not prosper afterwards. In 1792, soon after his decease, his mansion, then at the corner of Front and Thorn, and his wharf were sold to pay his debts. Dr. Nicholas E. McComb bought the property and generously presented part of the amount to Mrs. Rumford.

Joshua North, a well-to-do man who resided at Prospect Hill, was a Tory during the Revolution and was compelled to leave this country. His property was confiscated by authority of Congress. Many other valuable estates along the Delaware were taken by the government in the same way, notably that of Jacob Derrickson, a descendant of the early Swedish settlers.

Tory Jack was a notorious outlaw during the Revolution. He owned a small gun-boat and frequently appeared in the Delaware in search of spoils. On one occasion he captured John Harris, a trading merchant of Wilmington, when in command of one of his vessels, and placed him on a British frigate. Harris escaped and soon afterward Tory Jack was captured down the river by some people of Wilmington, of whom Harris was one. They brought him up the Delaware and hanged him on an apple-tree at "the Rocks," on the property of the McCullough Iron Works. Some of the Hessian soldiers deserted the army and remained in Delaware. Peter Davis, one of them, was long a sexton to Old Swedes' Church. He had charge of the old Academy on Market Street, Wilmington, and lived in its basement.

Many were the events of the Revolution in the good old Quaker town "'twixt the Brandywine and the Christeen," but few were afterwards described with more eager interest than the one which transpired at the large residence of Mrs. Hanson, on the northwest corner of Sixth and Shipley Streets. It was shortly after the battle of Brandywine that her two sons-in-law, Colonel Tilton, of the Continental Line, and Captain Bellach, of the militia, temporarily away from their commands, were her guests. At midnight, when all were asleep, Miss Nancy Hanson, her daughter, was awakened by a noise on the streets below, and opening a window, saw that in front of their house was a squad of British soldiers. She took in the situation at a glance, aroused the rest of the family from their slumbers, but all remained quiet and all met in the parlor to devise plans for the escape of the officers. Captain Bellach had no clothing with him but a military suit, and for him to escape seemed difficult. The soldiers would search the house, find the clothing and thus detect the presence of the officers.

"Conceal the suit," said Miss Hanson, "underneath the bricks of the hearth, and in the morning I will go across the street and borrow another." She was one of the belles of the town and very intelligent. Early in the morning she attired herself in her best and appeared at the front door. Observing her winning charms, the British officer in command saluted her and began a friendly conversation.

"Beg pardon, sir, but may I go across the street to procure an article of clothing for a sick relative now in our house?"

"Most certainly! Queer it would be if such a request would not be granted," replied the officer as he escorted the young lady to the house opposite. He waited by the door-way, and a few minutes later gallantly returned with her to the Hanson mansion, politely carrying the package for her.

"Thank you for your kind attention; will you come in and take breakfast with my mother, my sister and I?"

"It would indeed be an honor to be so highly favored. Colonel Tilton, of the Continental Line, is your brother-in-law, I am told; and how did he fare in the late battle?" asked he, with the expectation of finding out where Colonel Tilton was.

"He escaped unharmed, so far as we have learned," replied the lady with the greatest composure, as she showed the man a seat in the parlor. When the breakfast was ready he ate with the little family, and talked freely of the events of the day in an entertaining manner, while his soldiers partook of their morning meal on the streets.

"A carriage has been sent for to convey our sick relative to his country house. Will you

please see that it is not detained by your soldiers? We shall be glad to reciprocate such kindness" said Miss Hanson in her sweetest tones, looking the British captain full in the face.

"It will afford me much pleasure to comply with your wishes," said he, as he arose from the table. "Such courtesy as you have shown me is rarely accorded the best of men. Would that this cruel war was over, and that I too might enjoy the pleasures of home." His stern heart was touched with emotion, and his last words were spoken in a tone of sadness, as he stepped outside the house to his men.

The carriage arrived. Colonel Tilton, clothed in a plain suit, feigning sickness, was led by Captain Bellach and Miss Hanson to it, and they drove to the old ferry and crossed the Christiana.

"'Twas Colonel Tilton who escaped in that carriage," shouted a red coat up Market Street, and in an instant a dozen dragoons were in hot pursuit of the fleeing patriot officers; but they had escaped, and ere the evening sun had set, were safe in the town of Dover. All the town and country round-about gave Miss Hanson the highest praise for her sagacity and great presence of mind, by means of which these two men were saved from capture.

A year or two after the Revolution she married Major D. G. Adams, a soldier of the Revolution. He served several years as brigadier-general of militia, and was sheriff of New Castle County.

General Smallwood, of Washington's army for a short time, had his headquarters at the public inn, corner Third and Market Streets, afterwards known as the Lafayette. One day he ordered some horses to be pastured in a fertile field north of town. The owners of the land were not avowed patriots, and his lusty wife became indignant at what she thought an unjustifiable act. She hastened to town, called at the hotel, and asked if "William Smallwood" was there. She was told that General Smallwood was in the parlor. Approaching the officer she thus accosted him: "Is thy name William Smallwood?" to which singular inquiry he answered "yes," with a significant smile, wondering who should address him so. The audacious woman answered, by saying, "Well, thee deserves *small wood* well laid across thy broad shoulders, thee naughty man, for destroying my fine pasture." The brave officer promised to pay for it some time in the future, and often laughed about his singular interviewer.

The residence of William Canby, near the Brandywine Bridge, when the British occupied the city, was entered by a Hessian soldier, who made a dash at Mrs. Canby with a sword, and cut the window-shutter as she jumped out of the window. She escaped unhurt, and ran to her husband's mill.

Joel Zane, a Friend, lived at the southeast corner of Fourth and Shipley Streets. His wife was well-known for her noble acts of charity. When the French soldiers of Washington's army were quartered in Wilmington, she every day gathered vegetables from her garden and made them soup, and gave them the choicest of the flowers from her yard.

As soon as it was announced in America that the "Tea Act" was to be carried into effect, it was generally denounced as a scheme to establish the right of Parliament to tax the colonies and to give the East India Company the monopoly of their trade. As it bore on all the colonies, it diverted attention from the local issues, which had been agitating them during the preceding three years, to the original question of taxation, and the determination of the Americans was not to pay a tax levied by a body in which they were not represented.

The scheme roused more indignation than had been created by the Stamp Act. The House of Representatives of Delaware immediately upon assembling took into consideration the several letters and other communications which had been addressed to the Speaker by the Assemblies of Virginia, Massachusetts and Rhode Island. On the 23d of October, 1773, Mr. McKean, chairman of the committee to whom the resolutions and letters had been referred, made the following report:

"WHEREAS, the speaker of the late assembly presented to the House several letters which he received during the recess of the House, one from the truly patriotic House of Burgesses of his Majesty's ancient Dominion of Virginia, inclosing a copy of certain resolutions, entered into by them on the 12th of March last, one from the honorable House of Deputies of the Colony of Rhode Island, and providence plantations inclosing certain resolutions, entered into by them on the 7th of May last, and one from the free and spirited House of Representatives of the province of Massachusetts Bay, inclosing certain resolutions entered into by them on the 28th of May last, and requesting that a committee of this House may be appointed to communicate from time to time with the corresponding committees appointed by the said assemblies, and named in the said respective resolves;

"AND WHEREAS this House is of opinion that the measures adopted by the aforesaid assemblies, and proposed to this, are very salutary and highly necessary at this time, when the Rights and Liberties of all appear to be systematically invaded;

"Resolved, That this House have a very grateful sense of the obligations they are under to the House of Burgesses in Virginia, for the vigilance, firmness, and wisdom which they have discovered at all times in support of the rights and liberties of the American Colonies, and do heartily concur with them in their said judicious and spirited resolves.

"Resolved, That a standing committee of correspondence and inquiry be appointed to consist of five members, any three of whom to be a quorum; whose business it shall be to obtain the most early and authentic intelligence of all such acts and resolutions of the British Parliament, or proceedings of administration, as may relate to or affect the British colonies in America; and to keep and maintain a correspondence and communication with our sister colonies respecting these important considerations, and the result of such their proceedings from time to time to lay before this House.

"Resolved, That it be an instruction to the said committee that they do without delay inform themselves particularly of the principles and authority on which was constituted a Court of enquiry, held in Rhode Island, said to be vested with powers to transport persons accused of offences committed in America, to places beyond the seas to be tried.

"Resolved, That the said committee be further instructed to prepare and report to this house draughts of very respectful answers to the letters above mentioned, also a circular letter to the Speaker of the several other Houses of Assembly on this continent, inclosing the aforesaid resolves; and requesting them to lay the same before their respective assemblies, in confidence that they will readily and cheerfully comply

with the well-concerted and wise resolves of the House of Burgesses in Virginia."

The House adopted the report and appointed the following standing "Committee of Correspondence and Communication with the other Colonies:" Caesar Rodney (Speaker), George Read, Thomas McKean, John McKinly and Thomas Robinson.

On December 16, 1773, a party of Bostonians, disguised as Indians, threw overboard from a vessel in their harbor several hundred chests of tea, and in the succeeding March, Parliament passed the bills closing the port of Boston, depriving the people of Massachusetts of every important vestige of self government, and ordaining that any person indicted for capital offenses committed in aiding the magistrates in the execution of the laws, might be sent by the Governor to any other colony or to England for trial. On the arrival of the news of the passage of these measures, the colonists in general made common cause with the people of Massachusetts, and in various ways expressed their sympathy with the inhabitants of Boston.¹ On June 17, 1774, the following card, signed "A Freeman," was published at New Castle:

"To the Gentlemen, Freeholders and others in the County of New Castle, upon Delaware, who have a vote in the election of Representatives in General Assembly:

¹ American Archives, fourth series, vol. I., p. 419.

The following letter was sent to the Committee of Correspondence of Virginia:

"NEW CASTLE ON DELAWARE, May 26, 1774.

"Gentlemen: The alarm which the British act of Parliament, for shutting up the port of Boston, has occasioned amongst us, makes it a matter of duty on this committee to contribute, as far as they may, to a general union of sentiments and measures in the colonies, as the most effectual method of relief, not only from the present encroachment on the rights of the inhabitants of Boston, but from future attempts of the like kind.

"We consider each colony on this continent as parts of the same body, and an attack on one to effect all. The people of Boston are singled out upon this occasion by the British Ministry for apparent reasons, and if they can succeed so far as to procure a submission, the like, or some such experiment, will be made on each colony in turn; if this should happen there would be an end of American freedom for a century at least.

"Imports and exports are things undoubtedly within the power of the Americans and they are become of great consequence to Great Britain; a total cessation of both, as to that kingdom, for a time, would not only alarm in turn, but procure applications for our relief from those who, in all likelihood would be more favorably heard than the Americans; therefore we apprehend a measure of this sort a necessary previous step in the present exigency; and from our knowledge of the sentiments of the people within this small government, we can, with confidence, say that they would generally approve and firmly support such an engagement if adopted by the principal colonies.

"The conduct of the British Parliament on this occasion, so derogatory of the character which that State once had, needs no comment, a shadow of justice, a cloak of power used for America's scourge, indicates the necessity of a Congress of Deputies from the several colonies to determine and agree upon further measures for redress of present or future grievances; and we are confident that if such a proposal shall be made by any one of the principal colonies the Representatives of the people here will adopt it and embrace the first opportunity of carrying it into execution.

"We have inclosed a copy of the Boston resolves, transmitted to us from Philadelphia, as a paper omitted to be sent by their last express to you for North Carolina.

"As the inhabitants of this Government entertain a high opinion of the zeal and firmness of your colony in the common cause of America, we are persuaded that their resolutions at this important crisis will have great weight here, and we shall be glad to have your sentiments thereon. In the meantime, we who are of the committee of correspondence for the Delaware government are, gentlemen,

"Your most obt. humble servts,

"GEO. READ.

"THOS. MCKEAN.

"JOHN MCKINLY."

"The several acts of Parliament made for these ten years last past, relating to the British colonies in North America, and their operations upon the property, liberty and lives of the good people of this country, are too well known and too severely felt to require any enumeration or explanation—suffice it to mention that they have taken away the property of the colonists without their participation or consent; that they have introduced the odious and arbitrary power of excise into the customs; that they have made all revenue causes triable without jury and under the decision of a dependent party judge; that they have taken from the Assemblies all freedom of debate and determination in the instance of suspending the legislative power of New York; that they have extended the obsolete and arbitrary act of 35 Henry VIII., for trial of treason and misprision of treason, to the depriving of the subjects of a fair trial in the proper country, and exposing him to the most grievous exertions of tyranny and injustice; that they have maintained a standing army in time of peace above the control of the civil authority; and that they have not only declared that they can make laws to bind us in all cases whatsoever, but, to crown all, have actually deprived the great and lately flourishing town of Boston of all trade whatsoever, by shutting up their port and harbour with a formidable fleet and army; and, it is not doubted, have new moulded the charter of the Province of the Massachusetts Bay; and virtually indemnified all officers of the customs, the army and the navy, and others acting by their command, from all murders and other crimes which they may commit upon the loyal, brave and free people of that province. There are no phantoms arising from a heated brain, but real facts, not exaggerated.

"It is impossible, that any people, impressed with the least sense of constitutional liberty, should ever patiently submit to these enormous grievances, and accordingly we find our brethren and fellow subjects in most of the colonies are deliberating and resolving upon such measures as are thought to be most likely to recover our lost rights and privileges.

"Shall the people of this large and wealthy county, heretofore the foremost on many occasions, particularly in the time of the detestable Stamp Act, to oppose all attempts to deprive them of their personal security and private property, be now inactive and silent? Forbid it, liberty; let humanity forbid it.

"You are therefore most earnestly requested to meet together at the Court-House in the town of New Castle, on Wednesday, the 29th inst., at 2 o'clock in the afternoon, to consider of the most proper mode of procuring relief for our dear countrymen and brethren of Boston, the redressing the before-mentioned grievances, the restoring and securing our invaded property and expiring liberties—and establishing on a constitutional bottom the wanted, and by us so much desired, peace, friendship and love between Great Britain and these colonies. It is expected that none who have a due regard to their country, posterity or themselves, will be absent."

The meeting was held on the date named, and a committee appointed to collect subscriptions for the relief of the people of Boston. On July 28th, the largest popular meeting ever assembled up to that time in Delaware was held at Lewistown. Mr. McKean made the principal address of the day. He introduced the business of the meeting by an eulogium on the happiness of the English Constitution, and went on to show that the American colonies brought all British liberties with them, as appears by their charters, the nature of their emigration, and many public declarations at that time made and since. That the colonies were pleased and happy in their union, commerce and mutual assistance given to and received from the mother country, even while almost the whole fruits of their labor and industry ever returned to Britain, to her strength and aggrandizement. That they have been, and still are, the most loyal and dutiful of all His Majesty's subjects, and the most closely attached to his present royal family. That they have always granted their aids of money and men when their sovereign constitutionally demanded them of their Assemblies, and even seasonably and beyond their proportion; so that in the last war a considerable sum was refunded to this little colony on Delaware, as well

as others. That the present undeserved frowns of the parent State most probably arise from the base calumnies, wicked insinuations and most false misrepresentations of the Bernards, Hutchinsons, Olivers and such other malicious enemies of the real interests of Britain and America, who have, absurdly as well as wickedly, represented the colonies as rebellious, independent, etc. That hence, for about ten years past, the conduct of the British ministry and a majority of Parliament seems to be one continual plan to rob us of our dearest liberties. That, if America be enslaved, the freedom of Britain will not long survive that wretched crisis. That the impositions and oppressions of the most loyal Americans are already become very numerous and very grievous.

He then went on to enumerate and explain, as nearly as he could recollect, after laying down these principles, viz.:

"That all lawful civil governments must be wholly employed to preserve the lives, liberties and properties of the subject.

"No Englishman is bound by any laws to which he has not consented by himself or his own chosen Representatives.

"A man has no property in that of which he may be rightfully dispossessed at the pleasure of another.

"Britons only can give their own money.

"No man can tax us but ourselves while we enjoy the British Constitution."

He went on to show that from these principles, well known to every freeman, the following will appear, to say the least, lawless usurpations, viz.:

"1st. Restraining the colonists from manufacturing their own iron by erecting sitting mills, &c.

"2d. Restraining the transportation, and thus the manufacturing, hats of our own peltry, &c.

"3d. The grievous oppression of preventing farmers to carry their own wool even across a ferry, though the rivers, waters, havens, etc. are given us by our charters.

"4th. The changing the boundaries of colonies and obliging men to live under constitutions to which they never consented, as part of Massachusetts Bay joined to New Hampshire.

"5th. The suspending the legislative powers of New York by an Act of Parliament until they should quarter troops sent to raise an illegal tribute by military execution.

"6th. The memorable and detestable Stamp Act.

"7th. The Parliamentary claim to make laws 'binding us in all cases whatsoever,' consequently, to regulate our internal police, give, take away, change and infringe our Constitutions and Charters, for which we have the most solemn faith of the Crown and Nation for their inviolable security.

"8th. Their assuming to levy sundry taxes upon us, though self-taxation is the basis of English freedom. At the distance of 3000 miles, the Parliament arbitrarily demands the strings of every American purse, though ignorant of us and our ability, &c., though they not included in the same tax nor ever were chosen for our Representatives.

"9th. Their denying to us the right to give our own money to our own King on his legal demand, a right which Britons, from earliest histories, have enjoyed, and to secure which they have often spent much blood and treasure.

"10th. Their laying a tax on paper, glass, painters' colours and tea.

"11th. And though this, with the Stamp Act, were repealed by the non-importation, the American virtue and the influence of our friends, yet a tax on tea was and is continued as the badge of our slavery.

"12th. The mean stratagem, unworthy the Representatives of a free and great nation, of attempting to enslave us by pretending a favour to the East India Company, which Americans bravely rejected and disconcerted.

"13th. Finding stratagem would not prevail, they have thrown off the mask and are now dragging us into a surrender of our rights by the last Bills, and wreaking their unjust vengeance on those who cannot submit to their impositions.

"14th. Maintaining a standing army in times of peace, above the control of the civil powers, at Boston, &c., which no Briton can submit to.

"15th. Extending the obsolete act of Henry VIII., to drag Americans to Britain to be tried, contrary to our birth-right privileges of juries of our own neighborhood. How shocking to humanity to see a fleet and

army on the Act for preserving dockyards, &c., solemnly stationed to take any poor man, on suspicion of his being one of the justly exasperated mob who injured the 'Gaspee' schooner, to be sent in irons in a man-of-war—worse than a Popish inquisition—three thousand miles, to be tried by partial judges and ruined, if innocent, at last!

"16th. The wresting Castle William out of the hands of the owners, though the principal fortress where their property and stores were deposited, and putting it into the hands of those who yet unjustly detain it, over whom the civil authorities have no control, at a time when the military threatened the slaughter of the inhabitants.

"17th. The rewarding and advancing Capt. Preston for the very reason of his murdering some young men at Boston.

"18th. Fleets and armies sent to enable the Commissioners of the Customs, authorized by Parliament, in violation of all English liberty, to plunder freemen's houses, cellars, trunks, bed-chambers, &c.; and if they murder men, by a late Bill, they may not be tried in America, and the poor relatives cannot prosecute on the other side of the Atlantic; thus, the blood of our poor innocents may cry, indeed, to God from the earth, but from civil government there can be no justice.

"19th. The grievous partiality of those who have made their own judges independent even of the demands of the crown, yet have sent Judges, a Governor and Attorney General, during pleasure only, under no ties to the country, but biased to the Ministry, by whom they are supported by a tax unconstitutionally squeezed from Americans. Their circumstances tend to make them, like Judge Jeffries, the cruel instruments of tyranny and injustice.

"20th. Ungratefully disheartening us, and adding insult to injury; quartering insolent troops upon us, to provoke the injured to mobs; and sending over men of the worst character for Governors, Judges and officers to some colonies; refusing to hear any complaints of maladministration; forgetting all our merit, though the most firmly of all his Majesty's subjects attached to the principles of the Revolution; supporting one-third of the nation and increasing her naval power and grandeur, and profusely spending our blood and treasure in all the wars of Britain.

"21st. Another distressing grievance is that the British Ministry receive no information of the state of the Provinces unless from their very enemies, the Governors, Judges and officers, while cries and petitions of injured and oppressed colonies, even from General Congresses and Assemblies will not be favoured unto a hearing and by them kept back from the ear of our Sovereign; while the betrayers of the union and happiness both of Britain and America are heard, supported and rewarded by the Administration for all their false and malevolent dissimulations.

"22d. Though in all nations the persons of Ambassadors are sacred or inviolable, the virulent torrent of abuse premeditated and prepared and poured out in a most scurrilous manner, even in the House of Lords, by the approbation of a majority of them, against Dr. Benjamin Franklin, the known agent of our Colonies; though his age, office, abilities and character (as a philosopher and politician well known in all Europe) might have exempted him from abuse, even among the rudest companions, his offence, strange to relate, was discovering to his country their false accusers.

"23d. The conferring honors, preferments and lucrative posts generally on those unhappy wretches who appear the sole cause of all the dissensions in Britain and her unjust measures against her loyal sons, as Bernard, baronet, &c., &c., many of whom, if justice could be brought to her ancient channels, would justly forfeit their devoted heads.

"24th. And now, to complete our slavery by violence, which could not be done by fraud, the Boston Port Bill is executed on Boston; that ancient, loyal and flourishing city blockaded by a fleet and army, without ever hearing them, or even their agent, one word in their defence.

"25th. By our last accounts, another Bill has passed the lower House, which is designed to indemnify the officers of the customs, navy and army, and all their wretched assistants, in destroying our rights, from all the barbarities, rapines and murders they may commit against that brave, loyal and patient people of Boston.

"26th. And finally, to show us that the stipulated faith of the Crown during the reign of his present Majesty is good for nothing at all, and to convince us that we have nothing that we may call our own, even our charters and constitutions themselves, another Bill has also passed that House to change, infringe and destroy all that was worthy their care in the solemn charter of the Massachusetts Bay. The same Parliament, on the same principles, with equal right may vacate the right to any man's house, plantation, deed of his lands, &c., whenever he may happen to displease any Minister of State or any of his tools, from a Bernard and Hutchinson to the most infamous informer and tide-waiter.

"27th. Hence, on the whole, we have gradually lost our free Constitution, English liberties and charters, and are really under military government, a state to be deprecated by all good men; so that if we say a word against a Tea tax, a Boston Port Bill, or any arbitrary and tyrannical imposition, we may expect, like Boston to have our estates, trade, deeds, &c., taken away, and dragoons sent to insult us; and if they murder us they are not amenable under our laws. Our circumstances bear some resemblance to the time when they were forcing Bishops on Scotland, when every common soldier, in the reign of Charles II. was witness, judge and jury himself; and on asking two or three questions might shoot down any person he met.

"Here is a dreadful catalogue, indeed! And I doubt not," said he, "there are many more which have escaped my memory. Oh, that our gracious sovereign would condescend to read the catalogue and spend one hour apart from Lord North and the other authors of our calamities, to meditate upon them! Sure, his humane heart would bleed for the distresses of his reign, and he would vow redress to his loving and oppressed subjects. Any one of these twenty-seven grievous impositions would have driven a people careless of loyalty, patriotism, prudence and fortitude, into actual rebellion, to take arms in defense of such invaluable privileges. But, in defiance of all the whispers of our enemies, though we love liberty, we love Britain, too, and earnestly desire to continue the most inviolable union, connection and harmony with the land of our fathers. Though we are now above five millions (and at our present rate of population will soon double that number), if we were now united, we need not dread, under the conduct of that gracious and Almighty Being who hears the cries of oppressed innocence, any single prince or empire upon earth; but were we ten thousand times so many more, we would still revere, love and support our mother, Britain, while she will treat us as children and friends."

He concluded his address by showing the necessity and expediency of a General Congress to cultivate and restore our friendship with Britain, as well as to agree on a necessary non-importation covenant; which Congress, he showed, ought to be continued in all future times. He hoped, amidst their important affairs, they would fall on some honorable and safe expedient to put an end to our African slavery, so dishonorable to us and so provoking to the most benevolent Parent of the Universe; that this, with our luxury and irreligion, are probably the remote causes of our present alarming situation.

A convention of the members of the Legislature met at New Castle, August 1st, in pursuance of a call from Caesar Rodney, Speaker of the House of Assembly. The following delegates were present:

New Castle County: Thomas McKean, John Evans, John McKinly, James Latimer, George Read, Alexander Porter.

Kent County: Charles Ridgely, William Killen, Caesar Rodney, Thomas Collins.

Sussex County: Thomas Robinson, Levin Crapper, Boaz Manlove, John Wiltbank, Stephen Townsend.

Caesar Rodney was elected chairman, and David Thompson clerk. Then the resolutions adopted at the county meetings were read, those of the New Castle people coming first in order. They were as follows:

Resolved, 1. That the Act of Parliament for shutting up the Port of Boston is unconstitutional, oppressive to the inhabitants of that town,

dangerous to the liberties of the British colonies, and that therefore, we consider our brethren at Boston as suffering in the common cause of America.

"2. That a Congress of Deputies from the several counties in North America is the most probable and proper mode of procuring relief for our suffering brethren, obtaining redress for American grievances, securing our rights and liberties and re-establishing peace and harmony between Great Britain and these colonies on a constitutional foundation.

"3. That a respectable committee be immediately appointed for the County of New Castle, to correspond with the sister colonies and with the other counties in this government, in order that all may unite in promoting and endeavoring to obtain the great and valuable ends mentioned in the foregoing resolution.

"4. That the most eligible mode of appointing Deputies would be by the Representatives of the people of this government met in their legislative capacity; but as the House of Assembly have adjourned themselves to the 24th day of September next, and it is not expected his Honour, our Governour, will call them by writs of summons on this occasion, having refused to do the like in his other Province of Pennsylvania; therefore that the Speaker of the Honourable House of Assembly be desired by the committee now to be appointed to write to the several members of Assembly, requesting them to convene at New Castle not later than the 1st of August next, to take into their most serious consideration our very alarming situation, and to appoint Deputies to attend at the General Congress for the Colonies at such time and place as shall be generally agreed upon.

"5. That the committee now to be chosen consist of thirteen persons, to wit: Thomas McKean, John Evans, John McKinly, James Latimer, George Read, Alexander Porter, Samuel Patterson, Nicholas Van Dyke, Thomas Knoch, Job Harvey, George Monroe, Samuel Platt and Richard Cantwell; and that any seven of them may act.

"6. That the said committee immediately set on foot a subscription for the relief of such poor inhabitants of the town of Boston as may be deprived of the means of subsistence by the Act of Parliament commonly styled the Boston Port Bill; the money arising from such subscription to be laid out as the committee shall think will best answer the ends proposed.

"7. That the inhabitants of the county will adopt and carry into execution all and singular such peaceable and constitutional measures as shall be agreed upon by a majority of the colonies by their Deputies at the intended Congress, and will have no trade, commerce or dealings whatsoever, with any Province, city or town in the British colonies on this continent (if any such should be), or with any individual therein, who shall refuse to adopt the same, until the before-mentioned Act of Parliament, and two bills respecting the Province of Massachusetts Bay (if passed into Acts), are repealed."

The meetings in Kent and Sussex having been held subsequent to that in New Castle, they followed the pattern of the resolutions adopted in the larger county, with some notable exceptions. Thus, for instance, the Kent County people, who assembled at Dover, July 20th, led off their declarations with the resolution that—

"We do acknowledge, recognize and most expressly declare his Majesty, King George III, to be lawful and right King of Great Britain, and all other his Dominions and Counties; and that it is the indispensable duty of the people of this country, as being part of his Majesty's Dominions, always to bear faithful and true allegiance to his Majesty, and him to defend, to the utmost of their power, against all attempts upon his person, crown or dignity."

This emphatic assertion of loyalty to the King did not, however, stay the Kent men from adopting in substance the New Castle resolutions. They appointed as the Boston Relief Committee for their county, Charles Ridgely, William Killen, Caesar Rodney, John Haslet, John Clark, Thomas Collins, Jacob Stout, James Sykes, James Wells, Thomas Rodney, Richard Bassett, Richard Lockwood and Zadock Crapper, who were also to petition the Speaker of the House of Assembly to convene that body as set forth in the New Castle resolve. The Kent meeting wound up its business with an instruction to the committee to

"embrace this publick opportunity to testify their gratitude and most cordial thanks to the patrons and friends of liberty in Great Britain for their patriotic efforts to prevent the present calamity of America."

On July 23d the Sussex County meeting was held at Lewistown, and while it opened its resolutions with the affirmation that "the inhabitants of this county do owe and will pay allegiance to his majesty King George III.," it went rather beyond either the New Castle or Kent declarations on two points. One is to be found in the second resolve—

"That it is the inherent right of British subjects to be taxed by their own consent, or by Representatives chosen by themselves only; and that every Act of the British Parliament respecting the internal police of North America is unconstitutional, and an invasion of our just rights and liberties."

The use of the words "internal police" in this connection is noticeable. It meant much more than a denial of the taxing power of the parent nation; it might, indeed, be construed as a repudiation of the authority of Great Britain in the local administration of the laws in the colonies, and there is a ring of defiance in it which clearly illustrates an important stage of the separatist movement; moreover, it comports with the second point in which the Sussex men were in advance of their brethren of the colony, and which was embodied in the subjoined resolution, the fourth of the Sussex series,—

"That it is our opinion that it would conduce to the restoration of the liberties of America should the colonies enter into a joint agreement not to import any articles of British manufacture, or carry on any branch of trade unless under such restrictions as may be agreed upon by the Congress."

New Castle and Kent had only progressed to the decision of ceasing commercial intercourse with such of the colonies as withheld their support from the proposed Congress and its measures, but Sussex went boldly in for non-intercourse with the kingdom. In the light of subsequent events its radical tendencies were justified, but the exhibition of them so early as July, 1774, is a testimony to the bravery and far-sightedness of its Revolutionary leaders. The committee appointed by this Lewistown meeting embraced Thomas Robinson, Levin Crapper, Boaz Manlove, Benjamin Burton, John Wiltbank, Stephen Townsend, David Hall, Rev. Matthew Wilson, Jacob Moore, John Clowes, Daniel Nunez, John Rodney and Wm. Perry.

On August 22d the convention reassembled and appointed Casar Rodney, Thomas McKean and George Read, or any two of them,

"Deputies on the part and behalf of this government in a General Continental Congress proposed to be held at the City of Philadelphia, on the first Monday in September next, or at any other time and place that may be generally agreed on; then and there to consult and advise with the Deputies from other Colonies, and to determine upon all such prudent and lawful measures as may be judged most expedient for the colonies immediately and unitedly to adopt, in order to obtain relief for an oppressed people, and the redress of our general grievances."

These delegates were sent to Congress with a clear understanding of the sentiments of their constituents. The convention adopted a set of resolutions, which they were directed to press upon the attention of Congress and endeavor to have

indorsed by that body. In these the convention declared—

"1. In the first place, that we most solemnly and sincerely promise and declare that we do, and will, bear faith and true allegiance to his most sacred Majesty, King George III., our most gracious Sovereign and rightful Hege Lord; that we will, upon true revolution principles, and to the utmost of our power, support and defend the Protestant succession as established in the illustrious House of Hanover; and it is our most earnest desire that the connection which subsists between Great Britain and her colonies, whereby they are made one people, may continue to the latest period of time.

"2. That the subjects of his Majesty in the British American Colonies have had, and of right ought to have, and enjoy all the liberties, privileges and immunities of free and natural born subjects within any of his Majesty's Dominions, as fully and amply as if they and every one of them were born within the realm of England; that they have a property in their own estates, and are to be taxed by their own consent only, given in person or by their Representatives, and are not to be disarmed of their liberties and free customs, sentenced or condemned, but by lawful judgment of their peers.

"3. That the only lawful Representatives of the freemen in the several Colonies are persons they elect to serve as members of the General Assembly thereof; and that it is the just right and privilege of the said freemen to be governed by laws made by their General Assembly in the article of taxation and internal police.

"4. That all trials for treason, misprision of treason, or for any felony or crime whatsoever, committed and done in the said colonies ought of right to be had and conducted in his Majesty's Courts held within the same, according to the fixed and known course of proceeding; and that the seizing any person or persons suspected of any crime whatsoever committed in them, and sending such person or persons to places beyond the sea, to be tried, is highly derogatory of the rights of British subjects, as thereby the inestimable privilege of being tried by a jury from the vicinage, as well as the liberty of summoning and producing witnesses on such trials, will be taken away from the party accused.

"5. That all acts and proceedings of the British Parliament for prohibiting and restraining American manufactures; imposing taxes on the British Colonies; extending the powers of Customs-House officers and Admiralty Courts here beyond their ancient limits; and seizing and sending persons suspected of committing treason, or misprision of treason, in these colonies to England for trial, are unwarrantable assumptions of power, unconstitutional, and destructive of British liberty.

"6. That the successive Acts of Parliament made in the last session, for inflicting pains and penalties upon the town of Boston, by shutting up their port and blocking up their harbour; for altering the administration of justice in certain criminal cases within the Province of Massachusetts Bay; and for new modelling the constitution of that Province, established by Royal Charter, are in the highest degree arbitrary in their principles, unparalleled in their rigour, oppressive in their operation and subversive of every idea of justice and freedom.

"7. That it is the indispensable duty of all the colonies, not only to alleviate the unexampled distress of our brethren of Massachusetts Bay, who are suffering in the common cause of America, but to assist them by all lawful means in removing their grievances, and for re-establishing their constitutional rights, as well as those of all America, on a solid and permanent foundation.

"8. That it is our fixed, determined and unalterable resolution, by all lawful ways and means in our power, to maintain, defend and preserve our before-mentioned rights and liberties, and that we will transmit them entire and inviolate to our posterity; and, further, that we will adopt and faithfully carry into execution, all and singular, such peaceable and constitutional measures as have been agreed upon by this Congress.

"9. That we are unfeignedly thankful to those truly noble, honourable and patriotick advocates in Great Britain, who have so generously and powerfully, though unsuccessfully, espoused and defended the cause of America, both in and out of Parliament; that we still feel the warmest affection for our brethren in the parent state; and that it is our opinion, as it is our hope, that the cool and dispassionate among our fellow-subjects in Great Britain will applaud our measures and co-operate with us in every manly struggle for the preservation of those our rights, with which their own are so intimately connected.

"And, further, we do most earnestly recommend it to our said Deputies to use their most earnest endeavors to prevail with the Deputies from other colonies to frame decent and becoming petitions to his most gracious Majesty, and to both Houses of Parliament, for the redress of all our grievances, and to agree to a non importation of goods from, and non-exportation to, Great Britain, until relief shall be obtained.

"Notwithstanding any thing heretofore mentioned, it is not our meaning that by these instructions our said Deputies should be restrained from agreeing to any measures that shall be approved by the Congress."

It is altogether proper that Delawareans of the present day should refer with a conscious glow of pride to these resolutions; for while the programme of the convention measured up to the fullest

exigencies of the crisis in 1774, its members foresaw that British oppressions, if continued, would demand a stronger policy than that of protest and non-intercourse. Therefore the delegates were given their freedom to join with such further resistance as the majority of the Congress might deem wise, and they were thus solemnly assured that the patriots at home would sustain them in any length to which they might go for the vindication of American rights. By this move Delaware was placed on the front line of the struggle, and there could be no doubt of her willingness to follow wherever it might lead.

Messrs. Rodney, McKean and Read presented their credentials to Congress at its meeting in Carpenters' Hall, Philadelphia, September 5, 1774, and the two former were on the next day appointed on "the first committee," and Mr. Read on "the second committee." In the official report of the proceedings they are designated as the "delegates from the Three Counties," or from the "Three Lower Counties on the Delaware," or from the "Delaware Counties." Delaware was assigned her place in the abortive plan submitted by Mr. Galloway on September 28th for an American government, "to be administered by a President-General, to be appointed by the King, and a grand council to be chosen by the representatives of the people of the several colonies in their respective assemblies once in every three years." Her three delegates signed the "Association" on October 20th—the non-importation, non-consumption and non-exportation agreement by which the colonies dissolved their commercial relations with the mother country, resolving neither to buy her products and wares after December 1, 1774, nor to export any merchandise or commodity to Great Britain, Ireland or the West Indies, except rice to Europe, after September 10, 1775, unless Parliament in the mean time should abrogate the obnoxious statutes.

This was the address which embraced the proviso that "we will neither import nor purchase any slave imported after the 1st day of December next; after which time we will wholly discontinue the Slave Trade, and will neither be concerned in it ourselves, nor will we hire our vessels nor sell our commodities or manufactures to those engaged in it." The Delaware members also concurred in the address to the people of Great Britain, the memorial to the inhabitants of the British colonies, the address to the inhabitants of Quebec, the address to the people of Canada and finally the address to the King. All these were recapitulations of the grievances of which the people of the thirteen colonies complained. The sympathy and assistance of the people of Great Britain were supplicated and the King was petitioned for the employment of his royal authority to remove the

burdens under which the Americans suffered. Mr. McKean was made a member of the committee to revise the minutes of Congress, and for several weeks was closely engaged in Philadelphia in the performance of the duty.

The New Castle County committee was assembled at New Castle on November 28, 1774, with John McKinly as chairman and David Thompson as clerk, when the "Association" entered into by Congress was approved, and the people were especially recommended to fully and faithfully comply with the eighth, ninth, and thirteenth articles, which were as follows:

"8. That we will, in our several stations, encourage frugality, economy and industry and promote agriculture, arts and the manufactures of this country, especially that of wool; and will discountenance and discourage every species of extravagance and dissipation, especially all horse-racing, and all kinds of gaming, cock fighting, exhibitions of plays, shews and other expensive diversions and entertainments; and on the death of any relative or friend, none of us, or any of our families, will go into any further mourning-dress than a black crape or ribbon on the arm or hat for gentlemen, and a black ribbon or neck-lace for ladies, and will discontinue the giving of gloves and scarfs at funerals.

"9. That such as are venders of goods or merchandise will not take advantage of the scarcity of goods that may be occasioned by this Association, but will sell the same at the rates we have been respectively accustomed to for twelve months last past. And if any vender of goods or merchandise shall sell any such goods on higher terms or shall, in any manner, or by any device whatsoever, violate or depart from this Agreement, no person ought, nor will any of us deal with any such person, or his or her factor or agent, at any time thereafter for any commodity whatever.

"13. That all manufactures of this country be sold at reasonable prices, so that no undue advantage be taken of a future scarcity of goods."

The committee met again on December 21st and resolved,

"That pursuant to an intimation given by the said Continental Congress, as well as from a full persuasion that a well-regulated militia, composed of the gentlemen, freeholders and other freemen, is the natural strength and stable security of a free government; therefore, it is recommended by this Committee to such of the inhabitants of this county as are from 16 to 50 years of age, that they assemble themselves on the second Tuesday in January next, at such places as shall be appointed by the Committees of their respective Hundreds, and then and there associate and enroll themselves into companies of not less than fifty nor more than seventy-five men, according as the several districts will admit, and choose a Captain, two Lieutenants, an Ensign, four Sergeants, two Corporals and one drummer for each company; and use their utmost endeavors to make themselves masters of the military exercise. That each man be provided with a well-fixed firelock and bayonet; half a pound of powder, two pounds of lead, and a cartouch box or powder horn, and bag for ball, and be in readiness to act in any emergency.

"That the committees of the respective Hundreds do divide the same into suitable districts, as they severally will admit of.

"That contributions from this county for supplying the necessities and alleviating the distresses of our brethren in Boston ought to be continued in such manner and so long as their occasions may require; and that it is the duty of the Committee of Correspondence of the said county to collect and transmit the same as soon as possible."

While the patriots were thus advancing the fortunes of the inchoate nation they were harassed by a fire in the rear from the strong Tory element of the province. The party divisions of Whig and Tory were recognized and the line of demarcation plainly defined. There were stern and prompt men in the leadership of the Revolutionists, and they would not hesitate to make an example of the enemy at home that would exert a repressive force upon the British sympathizers. In the *Pennsylvania Ledger* of the first week of Feb-

ruary, 1775, there was printed the following extract of "a Letter from Kent County :"

"With regard to political matters, the people here begin to change their sentiments, concluding in their more deliberate moments that such violent measures as have been pursued will not heal, but, on the contrary, widen the breach; many who have kept their sentiments to themselves begin to whisper their dislike of the proceedings gone into. I believe the Friendly Address and other performances of the moderate stamp have done much good in opening the blind eyes of many, and when people come to taste feelingly of the hardships which a suspension of trade will occasion they will change sides; nay, I believe if the King's standard were now erected nine out of ten would repair to it. The people have not till lately considered the consequences of a civil war with so brave and powerful a nation as that of Great Britain; the heat and rage of party had not given them leisure to reflect on the devastation and havoc it would occasion; and if our rashness should yet bring one on, quiet, if such reflections as these would not arise with many? I have seen this land blessed with peace and plenty under the happiest form of government in the world; every branch of business flourishing; men secured in their liberty and property; a trade open to foreign parts of the world, which occasioned a ready sale for our produce. I have been in possession of a wife and many children, some of whom are numbered among the slain and others far separated; I have lived in a happy, harmonious neighborhood, where the violence of party and the appellations of Whig and Tory were unknown. Who could think that a three penny duty on tea could have occasioned all these difficulties, when only a refusal to purchase the article would have kept us free!"

Upon the publication of this letter the Philadelphia Committee of Correspondence made inquiry of the Kent County committee concerning the truth of the allegations which it contained, and the latter replied as follows, under date of February 15th:

"Gentlemen—We are this morning favoured with yours of the 13th inst., informing us of the purport of a piece of intelligence published in the *Pennsylvanian Ledger* of Saturday last, said to be an extract of a letter from Kent County on Delaware, very injurious to the public spirit of the inhabitants of this county. We can assure you, from the knowledge we have of the sentiments of the inhabitants, that they have not in the least changed their opinions with respect to the important subject of dispute between the mother country and the British Colonies in America, and are well disposed to make a virtuous stand against tyranny and oppression, from whatever quarter they may threaten us, as the inhabitants of any other of these Colonies; and that the said extract is a base calumny, replete with falsehood, and only designed by the wicked, insidious author to cause divisions and excite mutual suspicions and distrust in the minds of Americans, weaken our hands, and prepare the way to an easy victory for the enemies of America. We would, therefore, request the favour of your committee to call upon the printer of the above paper to discover, if he can, the author of this piece of slander, and that this letter may be published in all the Philadelphia papers."

The Kent County Committee of Inspection met at Dover, May 2, 1775, and received from Robert Holliday a communication in which he acknowledged to have written the obnoxious letter, but pleaded that he did not sign it; that the printed extract was somewhat altered from the original; that it was not dated at any place, and that he had informed Joshua Fisher & Sons, to whom it was directed, that he did not think it best it should be published. "I am," said Mr. Holliday, "sincerely sorry I ever wrote it, as also for its being published, and hope I may be excused for this my first breach in this way, and I intend it shall be the last."

It was resolved by the committee that this explanation was not satisfactory, and Mr. Holliday was requested to appear before the committee at its next meeting, on May 9th. He obeyed, and an apology was drawn up under the direction of

the committee, which he signed and which was accepted as full reparation on his part for the mischief he had done. It read thus:

"With sorrow and contrition for my weakness and folly, I confess myself the author of the letter from which an extract was published in the third number of *Humphrey's Ledger*, said to be from Kent County on Delaware, but at the same time do declare it was published without my consent and not without some alterations."

"I am now convinced the political sentiments therein contained were founded in the grossest error, more especially that the malignant insinuation that 'if the King's standard were now erected, nine out of ten would repair to it' could not have been suggested but from the deepest insinuation. True indeed it is that the people of this county have ever shown a zealous attachment to his Majesty's person and government, and whenever he raised his standard in a just cause were ready to flock to it; but let the severe account I now render to an injured people witness to the world that none are more ready to oppose tyranny, or to be first in the cause of liberty, than the inhabitants of Kent County."

"Conscious that I can render no satisfaction adequate to the injuries done my country, I can only beg the forgiveness of my countrymen upon those principles of humanity which may induce them to consider the frailty of human nature. And I do profess and promise that I will never again oppose those laudable measures necessarily adopted by my countrymen for the preservation of American freedom; but will co-operate with them to the utmost of my abilities in their virtuous struggle for liberty, so far as is consistent with my religious principles."

In the House of Commons, March 30, 1775, Sir Charles Whitworth reported from the Committee of the Whole the bill to restrain the trade and commerce of the colonies of New Jersey, Pennsylvania, Maryland, Virginia and South Carolina to Great Britain, Ireland and the British Islands in the West Indies. Lord North defended the bill on the ground of necessity, and offered an additional clause, "To prevent frauds arising in the exportation of goods of the produce of the counties of Kent, Sussex and New Castle." A few observations were made on this extraordinary motion, which it was said was unprecedented in the annals of Parliament—that of condemning people unheard, nay, even without inquiry.

It was answered generally that the House was in possession of information sufficient to warrant the insertion of the clause; that the papers lying on the table contained that information; and that any gentleman who doubted that the inhabitants of these counties deserved no exclusive favor or particular indulgence, had need only to peruse the papers laid before the House to be convinced.

The House then agreed to the clause, and, on April 5th, passed the bill, the House of Lords concurring, on April 12th. Clause VII. of the engrossed bill is that relating especially to the Delaware counties, and is as follows:

"And in order to prevent frauds and abuses, which may be committed contrary to the intention and against the provisions of this act, by the exportation of any goods of the growth, product or manufacture of the colonies of New Jersey, Pennsylvania, Maryland and Virginia, from any of the ports within the government of the counties of New Castle, Kent and Sussex on Delaware, it is hereby further enacted that during the continuance of this Act no goods or commodities whatsoever shall be shipped, to be carried from any port or place within the said counties, or either of them, to any other land, port or place whatsoever, except to the Kingdoms of Great Britain or Ireland, or to some of the British Islands in the West Indies, until the owner or exporter of such goods shall have made oath, or being one of the people called Quakers, shall have affirmed before the Collector or other proper Officer of the customs at the port or place where the same shall be shipped (which oath or affirmation such collector or other officer is hereby authorized to administer) that such goods are really and bona fide of the growth, product or manufacture of one or the other of said counties, of which fact the

collector, or other proper officer of the customs shall, and is hereby required to give a certificate under his hand to the master of the ship or vessel on board which such goods are laden, for the security of her navigation; and in failure of producing such certificate, such ship or vessel, and the goods thereon laden, shall be forfeited, and shall and may be seized and prosecuted as hereinafter directed."

Pursuant to adjournment, on October 26th, the Delaware Assembly met at New Castle, March 13, 1775, and adjourned to the next day, when Thomas McKean, for himself and Messrs. Rodney and Read, made report of their attendance upon Congress. On the 15th the Assembly passed resolutions approving the proceedings of Congress and the conduct of the Delaware deputies, and thanking the latter "for their faithful and judicious discharge of the trust in them reposed." The Assembly also indorsed the action of the convention which elected the delegates to Congress, and agreed to allow them £60 each for their expenses, payment to be made by "orders drawn by the Speaker on the Trustees of the several loan offices of this government, according to the directions of the Proportion Act." On the 16th a resolution was passed appointing the same three gentlemen representatives in the American Congress to meet in Philadelphia, on May 10th,

"With full power to them, or any two of them, together with the delegates from the other American colonies, to concert and agree upon such further measures as shall appear to them best calculated for the accommodation of the unhappy differences between Great Britain and the colonies on a constitutional foundation, which the House most ardently wish for, and that they report their proceedings to this House at their next meeting."

Messrs. Evans, Ridgely, McKinly, Hall and Rench were appointed a committee to prepare instructions for the delegates, and drew up the following, which the Assembly confirmed on March 29th:¹

"1. That in every act to be done in Congress you studiously avoid, as you have heretofore done, everything disrespectful or offensive to our most gracious sovereign, or in any measure invasive of his just rights and prerogative.

"2. That you do adhere to those claims and resolutions made and agreed upon at the last meeting of the Congress; yet, for the restoration of that harmony with the parent state, which is so essential to the success and happiness of the whole British empire, and which is so ardently wished for by this House, you may, in your parts, yield such contested claims of right as do not apparently belong to the colonists, or are not essentially necessary to their well-being.

"3. If his Majesty should be pleased graciously to appoint any person or persons to treat with the colonies on the present unhappy disputes subsisting between them and the Parent State, you, or any of you, the Congress shall nominate, may treat with such person or persons on behalf of the inhabitants of this government.

"4. If the Congress when formed shall not, in every question to be voted by the Provinces, allow this government an equal vote with any other Province or government on this continent, you are decently but firmly to urge the right of this government to an equal voice in Congress with the other Colonies."

On March 20th the captains and subaltern officers of New Castle County met at Christiana Bridge, and chose as commanders for the Upper Division, James McKinly, colonel; James Latimer, lieutenant-colonel; and Thomas Duff, major. For the Lower Division they chose Thomas Cooch, colonel; Samuel Patterson, lieutenant-colonel; and Gunning Bedford, major.

One of the express messengers dispatched from Massachusetts to rouse the colonies with the news of the battle of Lexington, left Philadelphia at noon of April 26, 1775, and riding through Chester, reached New Castle at nine o'clock the same night, where his message was indorsed by Z. V. Leuvenigh and Stephen Spencer, who forwarded it to Lieutenant-Colonel Samuel Patterson, at Christiana Bridge. Col. Patterson received it at midnight and passed it to Col. Thomas Cooch, "who received it this moment, and he to forward it to Tobias Rudolph, Esq., head of Elk, in Maryland, night and day to be forwarded." With this indorsement the messenger pressed on to Baltimore.

A meeting of the New Castle committee was held on May 18, 1775, at which were present the justices of the peace and grand jurymen of the county, to take into consideration the raising of a defense fund. At the previous meeting, on May 3d, it had been resolved to collect a shilling and six pence in the pound from each taxable inhabitant, and also from the estates of non-residents; but this measure in part failed, and now the justices and the jurymen entered into a pledge that at the next meeting of the Levy Court they would vote for a tax of this amount "in addition to the tax which may be necessary for the current expenses of the county; out of which additional tax all sums of money already, or which may hereafter be, paid in compliance with the said resolves of the committee, are to be deducted and credit given for them to the persons who have paid, or may pay, the same." This stipulation was signed by George Monro, Morton Morton, Wm. Hemphill, Thomas Kean, George Evans, Wm. Anderson, John James, Robert Kirkwood, David Howell, John Hyatt, John Taylor, Wm. Read, Wm. Clark, John Jones, John Evans, Thos. Cooch, David Finney, James Latimer, R. Cantwell, John Malcolm, Geo. Craghead, John Stapler, William Patterson, Samuel Patterson, Thomas McKim and John McKinley. In explanation of their course, they appended to the document the statement that:

"It being found quite impracticable to raise the sums of money that were necessary for the purposes aforementioned, in so short a time as the urgency required, in the usual legal ways, therefore the Committee were obliged to adopt the foregoing method as appearing the most speedy, effectual and equitable manner of raising the same; and is hoped that all lovers of their country will readily pay their several quotas to the committee-men of their respective Hundreds, who have undertaken to collect the same without fees or commissions, as the money is immediately wanted. Each of the Committee of Correspondence are required to be diligent in collecting, as speedily as possible, what money has been subscribed and not paid towards the relief of our suffering brethren at Boston, and to apply to such as have not before contributed to their support, as their situation is at present most deplorable."

May 25, 1775, the officers of some twenty companies of the Kent County militia met at Dover, with Captain John Haslet as chairman and Lieutenant Mark McCall as clerk, and divided the county into two divisions, each to contain one reg-

¹ American Archives, 4th series, vol. ii., pp. 126-129.

iment. For the Upper Regiment they elected Caesar Rodney as colonel; Thomas Collins, lieutenant-colonel; and French Battell, major. The officers chosen for the Lower Regiment were John Haslet, colonel; Wm. Rhodes, lieutenant-colonel; and Robert Hodgson, major. All the officers present signed an agreement, "by the sacred ties of honour and love for our country, that we and each of us will, to the utmost of our abilities, well and faithfully execute the important offices conferred upon us by our fellow-subjects, and in our military and every other capacity, at the risk of our lives and fortunes, defend the liberties and privileges of America, as well natural as constitutional, against all invaders or such as may attempt the least violation or infringement of them."

The "Association," as they styled it, also promised that "we will subject ourselves to such pains, penalties, military punishments and disgrace as courts-martial, to be constituted from time to time, of the officers of our own body, shall or may inflict on any of us offending against the rules of military discipline, or contravening in word or deed the true interest of America, or the spirit and principle of this Association."

The Assembly met again on June 5th, but did nothing until two days later, when it received the announcement from the delegate to Congress that the latter body was "unanimously of the opinion that it is absolutely necessary for the preservation of the lives, liberties and properties of the good people of the twelve united colonies and of the parish of St. John, in Georgia, to have an armed force at their general expense sufficient for repelling and defeating all hostile attempts by arms to deprive them of the same." The Assembly resolved, without dissent, to bear whatever share of the expense of the military establishment which should be fixed by Congress, and authorized the Speaker to draw upon the loan offices for an immediate loan of £500, the money to be subsequently replaced in the offices. Then the House adjourned to August 21st.¹

¹ Following the chronological order of events, mention should be made at this place of the project to organize a fourth county in Delaware. The committee having the plan in charge, held a meeting at Broad Creek, Head of Indian River, June 20, 1775, and adopted resolutions declaring that, although they were not represented in the Delaware Assembly, they yet reposed such confidence in the delegates to Congress that they would bind themselves to support all its measures. The resolutions continue:

"And further to support the union of the Colonies on which, under God, our safety depends, we unanimously resolve that John Dagworthy, John Jones, John Tennant, John Collins, Simon Kollock, Wm. Holland, Samuel Stosee, Joshua Polk, Clement Bayley, Wm. Polk, John Mitchell, Peter Hubbard and Elijah Cannon be appointed a committee to meet and correspond with the other committees of this and the other governments, and that any seven of them may act.

"And whereas disadvantageous conclusions may probably be drawn from the conduct of the people here, with respect to their entering into this Association at this late period, this committee does with pleasure embrace this opportunity to satisfy our fellow-subjects in general that our backwardness in this affair has been totally and wholly owing to the fluctuating or unsettled state of the lines or boundaries between the two governments of Pennsylvania and Maryland, and not from the influence of any Tories amongst us, or any disregard to the common cause. But as these are now happily established, we hope to evince to the world

Among the Tory episodes of 1775, the Sussex County committee had an interesting struggle with Thomas Robinson.² In a circular dated July 18th the committee say they have taken too little notice of the complaints of Robinson's Toryism, and that therefore:

"Mr. Robinson, weakly imagining that this tenderness and lenity proceeded from fear, began to vaunt and exult, and with an effrontery ever the companion of ignorance, proceeded more boldly and openly to stamp his vile and slavish Ministerial principles upon the weak and unwary, over too many of whom, in the forests of Sussex and Maryland, by means of his office and store, he has too much influence."

At this meeting (July 18th) the committee took testimony concerning Robinson's Toryism. Peter Watson swore that on July 10th he was at Robinson's store, on the head of Indian River, and saw John Gozlin, clerk to Robinson, sell two parcels of tea, "one of which he delivered to a girl, the other to Leatherberry Barker's wife," the tea being taken out of a canister holding twelve to fifteen pounds. Then Robert Butcher testified that when he told Robinson that the committee was advising the people to muster in order to defend their liberties, Robinson replied that "they were a pack of fools, for it was taking up arms against the King; and that our charters were not annihilated, changed or altered by the late Acts of Parliament, and therefore we ought to obey the King and those that were put in authority under him; and that the great people were only leading the poor into a premunire, and after they had done it would not help them out of it." Nathaniel Mitchell testified that Robinson had declared that "the present Congress were an unconstitutional body of men and that the great men were pushing the common people between them and all danger."

This was quite enough for the committee, and they summoned Robinson to appear before the General Committee at the house of John Newbold on July 22d to answer to the charges against him. The citation was sent by Elisha Cottingham, who reported to the General Committee that he had served it upon the contumacious Tory, "who desired him to give his compliments to the gentlemen of the committee and acquaint them that he did not, nor could not, think of coming before them unless he could bring forty or fifty

that we have as proper a sense and as becoming a zeal for the liberties of America as our fellow-subjects in the other parts of this government."

"N. R.—In this new County military preparations for self-defense against the bloody attacks of the infuriated British ministry are carried on with great spirit. It is expected we shall soon have fifteen hundred or more of a well-trained militia; and the committee are endeavoring to obtain the necessary supplies of warlike stores."

² Thomas Robinson, of Sussex County, was prominent during the Revolutionary period for his Tory sentiments and antagonism of the patriots. He was tried on the charge of treason, and found guilty of being "an enemy to his country and a contumacious opposer of liberty and the natural rights of mankind." In response to a summons to appear and answer, Robinson sent a contemptuous message. He was fined £1000, had his property confiscated and was obliged to flee to Canada. Subsequently he returned to Sussex County, where he died. Thomas Robinson was a brother of Judge Peter Robinson, also of Sussex County, who was appointed justice of the Supreme Court of the State, October 8, 1793. Peter Robinson, for three terms Secretary of State and associate judge of the Superior Court, was a son of Thomas Robinson.

armed men with him." This bold defiance of their authority was more than the committee had anticipated or were prepared to meet. They had no force at their immediate command with which to drag Robinson from his forest home, and the most they could do was to place him under what a hundred years later came to be known as a boycott. They resolved to hold him "forth to the publick, as an enemy to his country and a contumacious opposer of liberty and the natural rights of mankind," and they enjoined all persons "to break off all dealings and commercial connections" with him.

The resolutions of the committee were published in Bradford's newspaper, and on Oct. 12th Robinson wrote to the publishers complaining that the publication was made without allowing him an opportunity to controvert the charges, and that although it had failed in Sussex of answering the private election purposes for which it was made, it might have an unfavorable effect for him upon people at a distance. He inclosed a certificate signed by five members of the Committee of Inspection to the effect that they had not yet had it in their power to fully discuss the character of Thomas Robinson, but they submitted a resolution adopted by a majority of the committee on Aug. 16th. By this resolution it was declared that the proceedings of the Committee of Correspondence on July 27th was illegal because it had been drawn up and sent to the press by only four members of that committee instead of the seven required to sanction such action. The five members of the Inspection Committee added that—"And from any circumstance that has yet appeared to us on the inquiry that we have been able to make, the charge against Thomas Robinson is altogether without foundation. The public is therefore desired to suspend their opinion in regard to said Robinson until he is heard by the General Committee." This was signed by Isaac Minshall, (chairman), Joseph Turpin, Isaac Bradley, John Laws and Alexander Laws.

At a meeting of the White Clay Creek (New Castle County) committee at Henry Darby's house, in Newark, Aug. 7th, William Patterson presiding, Rev. Morgan Edwards presented himself and signed the following recantation, which was voted satisfactory :

"Whereas, I have some time since, frequently, made use of rash and imprudent expressions with respect to the conduct of my fellow-countrymen, who are now engaged in a noble and patriotic struggle for the liberties of America against the arbitrary measures of the British Ministry, which conduct has justly raised their resentment against me. I now confess that I have spoken wrong, for which I am sorry and ask forgiveness of the publick; and I do promise that for the future I will conduct myself in such a manner as to avoid giving offense, and at the same time, in justice to myself, declare that I am a friend to the present measures pursued by the friends of American liberty and do heartily approve of them, and, as far as in my power, will endeavour to promote them."

A new committee for Kent County was chosen at an election in the hundreds on Aug. 14th

The members elected were Caesar Rodney, Wm. Meredith, John Dill, James Moor, James Tilton, John Baning, Wm. Killen, Vincent Loocker-man, Benedict Brice, Benjamin Coombe, Nathaniel Luff, John Clark, John Davis, Rynear Williams, Elijah Morris, Belitha Laws, Benjamin Clark, Wm. Cullen, Edward Rees, Isaac Carty, Thomas Skillington, Silas Snow, Ezekiel Needham, Wm. Jorden, James Starling, James Wells, Jacob Stout, John Bell, Edmund Stout, Riden Bishop, Joshua Gordon, John Gordon, Vincent Loockerman, Jr., Jonathan Caldwell and Thomas Rodney. They convened at Dover on Aug. 17th and chose Caesar Rodney as chairman; Mark McCall, clerk; and appointed as the Committee of Correspondence, Thomas Rodney, James Tilton, Wm. Killen, John Baning and Vincent Loocker-man.

At a meeting of the committee of St. George's Hundred, New Castle County, Aug. 21st, Peter Hyett presided and Peter Cahoon, another suspected Tory, was brought up to the ordeal of examination. The committee accepted from him this apology :

"Whereas, I have some time since, frequently, made use of rash and imprudent expressions with respect to the conduct of my worthy countrymen, now struggling in the most noble cause of liberty, I do, therefore, take this opportunity publicly to declare that my expressions have proceeded from a very contracted knowledge of the British Constitution and the just rights of human nature, and am now sensible of my acting entirely wrong, for which I am extremely sorry and humbly ask forgiveness of the publick, upon assurance of my solemn promise to conduct myself for the future in such manner as shall be approved of by my countrymen, in promoting to the utmost of my power and heartily approving the different resolves and modes prescribed by our honourable Continental Congress for the preservation of American freedom, which I now plainly see is attempted to be rooted out of this country by a corrupted ministry. I hope this publick acknowledgement of my errors, and a full conviction of the justice and legality of the cause, will wipe off the just resentments that my former bad conduct have raised against me and induce the publick to believe me determined, as I am for the future, to stand forth for freedom and the good of this country."

Charles McKinzie, master of the ship "Peace and Plenty," on Sept. 18th petitioned the New Castle committee for permission to take in a cargo for a foreign port. He had brought to the Delaware passengers from Belfast, Ireland, and was naturally anxious to avoid the loss of returning in ballast by carrying out a loading of freight. There seems to have been no reason for suspecting him of any ulterior purpose, but the committee peremptorily refused to allow him to ship a cargo and only permitted him to take on board enough provisions and stores for the crew. Such were the rigors of the non-intercourse policy.

The Delaware delegates in Congress on July 8th joined in signing the petition to the King. On July 29th Congress, having under consideration the allotment of the Continental currency to the various colonies, resolved that the proportion of each should be determined according to the total population of each, including negroes and mulattos; but as no accurate census was available arbitrary quotas were assigned, subject to revision as each

colony furnished a corrected list of inhabitants. Under this provisional enactment the allotment to Delaware was \$37,219.50, which she was to redeem by special taxes.

The Council of Safety held an important meeting at Dover on Sept. 11th, when John McKinly was elected president and James Sykes secretary. The session continued for six days, and was mainly employed in perfecting the military organization of the three counties, which embraced altogether nine battalions. The three battalions of New Castle County commanded respectively by John McKinly, Thomas Cooch and Richard Cantwell, were formed into one brigade, with McKinly as brigadier-general. Kent County reported two battalions under the command of Caesar Rodney and John Haslet, which, with the Western Battalion of Sussex County, were formed into a second brigade under Brigadier-General Rodney; and the three battalions of John Dagworthy, David Hall and Jacob Moore were organized into a third brigade under Dagworthy as brigadier general. Commissions for these officers were made out, and it was entered on the minutes that "there are about 5000 effective men in this government associated and determined to defend their just rights and liberties with their lives and fortunes."

The Kent County committee had at their meeting on Oct. 16th at Dover, to deal with Daniel Varnum, who had obeyed a citation for his appearance. A special accusation, to which he pleaded guilty, was that he had declared "he had as lief be under a tyrannical King as a tyrannical Commonwealth, especially if the d—d Presbyterians had the control of it," for which he thus made retraction over his signature and in the presence of the committee:

"Being conscious that such language by me used is the language of the worst of enemies to America, and that it hath a direct tendency to injure the common cause in which all should be engaged, I take this publick method of declaring my sorrow for my imprudence and folly, and that in future I will pay a strict regard to the resolves of the Continental Congress and rules and directions of the Committee of said county, carefully avoiding everything that has the least tendency to violate or contravene the same."

Samuel McMasters wrote to Dr. James Tilton from Lewes Nov. 14, 1775:

"This informs you that an indictment was found by the Grand Jury of Sussex County against a number of zealous friends to their country for, it is said, insulting a certain J. C. The particulars are as follows: J. C., some time in the month of September, came to Lewes, and in an open, profane manner cursed the honourable Continental Congress and all those that would not curse it; calling upon the Supreme Being in a most solemn manner to d—n the Congress and all that would not d—n it; that the d—d set would ruin the Country. For which expressions and such like it was thought proper he should be had up before the Committee of Inspection as guilty of treason against the liberties of America and also the Congress; for the Congress acting suitable to the power delegated that body ought to be esteemed as King, and, therefore, whatever is said against that body should be deemed treason. C., being had up before the Committee, and the fact before it sufficiently proved, one of the audience said 'it sounded like a death warrant.' C., in an insulting, swearing way, said 'Put it in execution.' However, upon mature consideration of the Committee, some of which were no better than C., a sort of recantation was drawn up and signed by C., but by no means satisfactory to the people. Upon which some concluded we should proceed in the new mode of making converts by bestowing upon C. a coat of tar-and-feathers; but after some hesitation and much persuasion,

were prevented from using any violent measures, unless beating the drum a few rods, and two boys throwing an egg apiece unknown to the men, which as soon as they were observed were immediately stopped. No threatening or abusive language was made use of to intimidate or affright him. This is as near the state of the matter as I can recollect. This they have made a riot of, and J. M., Esq., as King's attorney, has acted in this matter.

"Now, if such offenders as C. are permitted to bring us under the cognizance of the civil law, all the friends of liberty here in Sussex may as well give up as contend any longer; for we are too weak to oppose Ministerial tools."

Dr. Tilton replied very promptly. After expressing his surprise at the information imparted by Mr. McMasters, he added:

"I have heard a great deal of Sussex Toryism, but imagined if you had really such among you, they would have acted more ingeniously than by playing off the civil law as an engine against the Sons of Liberty. The recent success of Mr. H., I should have thought, would have taught them better. Your Grand Jury must certainly have been infatuated with very undue prejudices or they never could have countenanced such an indictment as you mention.

"I wish I was able to give you such advice as would be profitable to your deluded countrymen; but when I consider that I am writing to a man younger than myself, and who has, perhaps, as little influence in Sussex as I have in Kent, I conceive I cannot testify my esteem for a lover of our liberty better than by communicating my sentiments or present troubles in as short and plain a manner as I can.

"I lay it down as a maxim that the claim of England on America 'to tax her in all cases whatsoever' is affrontive to common sense, not to be tolerated, but spurned at by freemen, and to be resisted to the last extremity whenever attempted to be put in execution. It is found equally true by our experience that the civil or municipal laws of the Provinces are not sufficient to defend us against the unjust and cruel means used to bring us under unjust and arbitrary taxation. What resource, then, had America left her? Why, she appealed to the law of nature, which, having a like respect to all, is founded only in justice and truth. In doing this, however, the Americans have not violated the Constitution of England (as their enemies have suggested) for that, being founded in liberty, cannot be repugnant to the eternal and immutable laws of truth and justice. By the law of nature, then, and the Constitution of England we are perfectly right in defending our rights and liberties. The law of nature is above all others and constantly governs in the last exigency of affairs. In our present struggle, is it not equally necessary to guard against intestine enemies as foreign foes? But by what law of the land can we do it? By none, and therefore we appeal to the law of nature. By this law, the representatives of a people in Committee publish an enemy and make him infamous forever; and by this law the people at large tar-and-feather Tories and traitors. The sole object of natural law is justice; and agreeable to it, in Mr. C.'s case, the only question should be, has his punishment been more than adequate to his crimes? If he has discovered himself unfriendly to his country, and especially to America, his light escape could be owing to nothing but great partiality or uncommon humanity in his countrymen. And as to those men who would now take advantage of the civil law against those who were the instruments of justice on C. in behalf of their Country, I take it for granted they have a plentiful stock of ignorance or an uncommon share of boldness or wickedness; and I will venture to add that were they in any part of the United Colonies besides Sussex, they would in the one case meet with proper instruction, and in the other suitable correction."

Early in 1775 a permanent lookout scout was stationed at Lewes, and pilots were warned not to bring any British armed vessels up the bay. The river below Philadelphia was obstructed after September 9th with the *chevaux-de-frise*, about forty vessels being allowed to pass out before the last day of grace. A narrow, intricate channel only was left, the secret of which lay with two trusty pilots, who were in the pay of Pennsylvania, and whose duty it was to bring up vessels with stores and ammunition, privateers and other authorized crafts. The buoys had all been removed from the Delaware, and pilots were ordered to lay up their boats except when on special service. To prevent the enemy from coming up, fire-rafts were built and a floating battery was constructed at Philadelphia.

When Washington was made commander-in-

chief of the Continental army on June 15, 1775, he was also commander of the navy too. Instructions were immediately given for the organization of a navy in the Delaware, and a number of vessels were fitted out. John Paul Jones, the first lieutenant aboard the "Alfred," under Commodore Esek Hopkins, was the first to hoist the American flag on the Delaware. Captain John Barry, of the "Lexington," was the first to put to sea from the Delaware, in Dec., 1775, in a regular commissioned national vessel for a regular cruise. The Delaware people were now about to have an experience of actual warfare. The British man-of-war "Roebuck" came up the bay in the last week of March, 1776, accompanied by a tender, and at once there was commotion from Cape Henlopen to Philadelphia. The Pennsylvania Committee of Safety had charge of the fortifications that had been erected above the mouth of the Brandywine, and there had been provided a flotilla of "row-gallies"—large, heavy open boats, the biggest of which required twenty oarsmen and carried a ten-pounder carronade in the bows. When the Pennsylvania committee were notified, on March 27th, by Henry Fisher, of Lewes, that the enemy were in Lewes Road, they ordered four of the armed boats to report to Capt. Barry, of the brigantine "Lexington" (in the Continental service), and "to exert their utmost endeavors to take or destroy all such vessels of the enemy as they might find in the Delaware." Colonel John Haslet, then in command of the Delaware militia, was on the lookout and kept Mr. Read, then president of Congress, fully informed of the progress of affairs, which is detailed in his letter of April 9th:

"I beg leave to inform you that, being well acquainted with the defenceless condition of the County of Sussex, on the first intimation of the Roebuck being in the Road of Lewes, two companies of the battalion still under my command were directed to do duty there, where they still continue. The Council of Safety for this government ordered the militia arms of this county into the hands of the Continental troops

"It is of the brig "Nancy," Capt. Hugh Montgomery, of Wilmington, that the story is told that she was the first vessel to hoist the American colors in a foreign port. In the winter of 1775 she was chartered from her owners, Joseph Shallcross and Joseph Tatnall, by Robert Morris, and in March, 1776, sailed for Porto Rico under British colors, where she landed Don Antonio Serrano to procure arms and ammunition under a contract with the Spanish government. At St. Croix and St. Thomas the munitions of war were secretly shipped, and the vessel was completing her cargo at the latter port in the last week of July, when Captain Montgomery received the news of the declaration of independence. He resolved that the brig should now show her true colors, and Thomas Mendenhall, one of the petty officers, went to work to make them. On the day set for sailing from St. Thomas, the Danish Governor and his suite, with twenty other residents of the island, were invited on board to dine. As the barges approached with the guests they were ordered to halt while a salute of thirteen guns was fired from the brig, and the colors were run up to the accompaniment of cheers for the National Congress, and shouts of "Down with the Lion; up with the Stars and Stripes!"

In 1777 a brig owned by Joseph Shallcross & Co., merchant traders of Wilmington, and commanded by Capt. Hugh Montgomery, homeward bound from a foreign port, in order to escape being captured by the British, was unloaded and her cargo concealed at Egg Harbor. Joseph Shallcross was sent word, and, with Barney Harris, William Woodcock and a number of ship-carpenters, went to reload the vessel. A squad of British made an attack on them at night with the design of capturing Shallcross and Montgomery, but being awakened in time, they escaped in an open boat, with British rifle-balls flying all around them. The darkness of the night alone saved their lives.

for the purpose of training; but I forbade them to be carried out of it. I have ventured on my own risk to send them, but know not how soon the Council will order them to be returned. I beg leave to inform you that the spirit of the troops is high, and hope their ardour in the generous struggle will produce its proper effects, provided they can be supplied with arms, which there is no probability of our being able to procure in this place.

"The commanding officer at Lewes has sent up to headquarters the Third Lieutenant of the Man-of-war and three soldiers, who were put on board the 'Alarm' pilot there, by them taken and fitted out as a tender. On Wednesday, the 27th ultimo, cruising to the southward of the Cape, they sent all their men on board a 'Plymouth' sloop they had made prize of, except the Lieutenant and three others. About 4 o'clock next morning, the helmsman falling asleep, Providence steered the boat ashore and they were soon after taken. The Lieutenant informs us that the 'Roebuck' left England last September bound to Halifax, where she wintered, commanded by Capt. Hammond. She carries forty-four eighteen and nine pounders mounted, and can mount ten more. I propose to keep the officers and men here under guard till the Congress is pleased to direct in what manner they shall be disposed of."

Colonel Haslet wrote from Dover, April 10th, to President Hancock, inclosing the report of the officer commanding the detachment of the Delaware battalion at Lewes upon the engagement with the "Roebuck's" tender. The report said:

"On Sunday, 7th April, an express came from the Light House Guard to Lewes, with intelligence that Capt. Field, who commanded a schooner sent by the Council of that County to Eustatia for powder, had just arrived and demanded assistance to unload her. I gave orders for the troops to march as soon as the boats could be had to ferry them across the creek, which the inhabitants procured with amazing despatch. We then marched with the utmost expedition to reinforce our guard, which had taken post by the schooner to assist in discharging her cargo—mostly coarse linens. She then lay seven or eight miles to the southward of our Cape. At the time of our arrival the tender, making sail, bore down upon the schooner; on observing this the men immediately ran her on shore. Our troops were outdone by the tender, though they marched at the rate of seven miles per hour. Just before our arrival the tender gave our guard a broadside with swivels and musketry, which they returned. On our junction a constant fire was kept up for some time, until we perceived the distance too great. We then left off firing and unloaded the schooner, though several hundred shots were fired at us to prevent it. Our people picked up many of their balls rolling in the mud. The tender dispatched one of the barges to the ship for assistance, who made sail immediately, but was soon obliged to come to anchor for fear of running on the Hen and Chickens. About the time the ship turned the Cape, the tender anchored within musket shot of the schooner and kept up a continual fire with her swivels. We had by this time got the swivels in the schooner loaded with grape-shot, and a constant fire for two hours was kept up on both sides. We undoubtedly wounded their men, for we perceived some to fall and others run to their assistance. They made several efforts to purchase their anchor, which were prevented by our fire, but at last they succeeded. Fortunately, however, one of our swivels cut their halyards and down came their mainsail, which compelled them to anchor once more. At last, the wind shifting, they had a boat to tow them off. We then turned our fire on the boat, where two men were seen to fall; the large, returning from the ship, joined to tow them out. Our men escaped unhurt. The militia officers at Lewes acted with a spirit which does honour to their Country."

This spirited little skirmish was most efficacious in removing from the minds of the patriots the exaggerated impression of the invincibility of the British ships and sailors, and they flocked to the shores of the bay in readiness for another encounter. The schooner spoken of in the above report was owned by Nehemiah Field, of Lewes. Dr. James Tilton, writing from Lewes, April 17th, to a Philadelphia friend, said:

"Lewistown is at this time made up of officers and soldiers, and the people altogether seem determined to defend our little place. As for Tories, there are none such among us. That infamous name is quite done away since danger came so near us. The 'Roebuck' still remains in our road all alone, and has, I believe, lost her tender; a few days ago some say they saw a sloop take her to the southward of our Cape. We have between 50 and 100 men on guard at the light-house, Arnold's and the Creek's Mouth, and are determined to watch them closely. They made application to fish on our beach. We would not let them, but desired them to go to Newfoundland for that purpose. If they should attempt to fish on the beach, we are determined to show them Yankee play,

as we did on Easter Sunday, when we were unloading Capt. Field. I do assure you that if you were here you would be pleased with the spirit of the people."¹

In the first week of May the "Roebuck" was joined in the bay by the sloop-of-war "Liverpool," twenty-eight guns, commanded by Captain Bellew, and the two vessels moved to and fro between Chester and the mouth of Christiana Creek. Orders were given for an attack upon them by the armed boats, which then numbered thirteen, and were under the command of a young Philadelphia sailor named Houston,² although he was subordinate to Captain Barry. On May 8th these open boats advanced to the perilous assault. A Philadelphia paper of May 15th contained a readable story of the engagement :

"On Wednesday, about 2 o'clock in the afternoon, the galleys hove in sight of the Men-of-war, and about 3 o'clock began the attack, which brought on a very heavy cannonading on both sides that lasted three or four hours, when the 'Roebuck' ran aground and the 'Liverpool' came to anchor to cover her. It being then dark, firing ceased on both sides, and in the course of the night the 'Roebuck' got off. During the engagement the 'Wasp,' schooner, of six guns, commanded by Charles Alexander, came out of Christiana Creek, into which she had been chased the day before, and took a brig in the employ of the pirates, having on board a great number of water-casks belonging to the 'King-fisher' to fill. On Thursday afternoon at 5 o'clock the armed boats renewed the attack on them with so much spirit and skill that they obliged the ships to make the best of their way down the river, when the boats pursued them, keeping up a constant fire until they got below New Castle, six miles from the place of action, where the boats moored for that night. The ships have since gone further down the river. We are well assured, by a gentleman who has since been alongside the ships, that our cannon did great execution to their hulls, and that they were obliged to keep their carpenters patching and mending for two days after. Several of our armed boats were slightly damaged. One man was killed in the first and two wounded in the second engagement. The greatest praises were given to the courage and spirit of our officers and men by the many thousand spectators who lined the shore on both sides of the river.

"The ships of war had chased a small schooner bound to the West Indies, which ran ashore near Christiana, and plundered her of some goods; but left her behind, and a tow line which they had carried on board to leave her off. They took and burned a shallop, or small sloop, near Cohansey, which the crew had abandoned.

"We are told that the 'Roebuck' is one of the handsomest ships of war belonging to the King of Britain, and was built last summer under the particular patronage of Lord Sandwich, whose favorite she is. The Captain is also of his particular appointment. Query—what must his Lordship pay of his ship when he hears that she was beat by the 'cowardly Americans,' who have nothing but rusty guns, broomsticks, &c?"

John Adams wrote to Mrs Adams from Philadelphia, May 12th: "There has been a gallant battle in Delaware River between the galleys and two men-of-war, the 'Roebuck' and 'Liverpool,' in which the men-of-war came off second best; which has diminished in the people on both sides of the river the terror of a man-of-war."

On June 11th, William Barry, a seaman captured by the British in the Delaware, made a very interesting deposition before Justice Samuel Patterson at New Castle regarding the cruise of the British ships and the fight with the American boats.

¹ The intention of the British government to make a determined effort for the subjugation of the Southern Colonies was shown in a speech of Colonel Wm. Innes in the House of Commons, November 8, 1775, in which he said: "I think there can be little doubt that the force intended (25,000 men) is sufficient to subdue the colonies to the southward of the Delaware River, and that sloop-of-war may easily obstruct the passage of an army from the Northern Provinces should an attempt be made to cross that extensive river to join the insurgents on the other side." American Archives, 4th series, vol. vi., p. 149.

² George Read's letter to Rodney and McKean, dated Wilmington, May 10th.

He had been first mate of the Philadelphia ship "Grace," Captain Erwin, which on March 13th left Cape Henlopen bound for York River, Virginia. On March 17th they encountered a sloop carrying a distress signal in her shrouds. Supposing the stranger to be an American, Captain Erwin made no effort to keep away, but soon found that he was under the guns of an enemy who had a ruse to bring him within cannon-shot distance. From this point Barry's narrative proceeds to say:

"The sloop then fired several shots at them, as they apprehended with an intent to kill them, upon which the Captain of the ship hauled down the sails and went on board them; that this deponent then up with the sails again to try to get off; but they fired; so he got wounded in the leg and was forced to come to; and as they had no boat belonging to the sloop there came a number of men back in their (the 'Grace's') boat, which the Captain had taken, and took them all prisoners on board the sloop, which was called the 'Lord Howe,' commanded by a certain ———— Oed, a second lieutenant belonging to the 'Roebuck,' whose tender the sloop was. They took the ship and called her their prize. The crew were all, except the Captain, put in irons, though this deponent's leg was very sore; after which they were all put on board the 'Roebuck,' commanded by Capt. Hammond, which was then lying in Hampton Roads, and who strongly urged them to enter (the British service) freely, which this deponent would not do, nor the captain and some of the men, though some of our men did, rather than be kept in irons and ill-used. However, after some time they were taken out of irons and made to do ship's duty (which all prisoners must do) with many insults and very bad usage. About three days after he went on board the 'Roebuck' she came to Henlopen and cruising out and in there took several vessels said to belong to the Rebels in America, which they said were by their orders to be lawful prizes, though when their sailors asked when they would get their shares they were abused by the officers and told they must go to England first. About three weeks after they came to Cape Henlopen there came three men one night in a small boat from Lewestown shore on board said vessel and stayed on board until about 10 o'clock at night. The next night when they came alongside they reached up a small bag, which one of the men belonging to the ship told the deponent were letters, &c. Said three men were kindly received and entertained by the captain and officers, but no prisoners permitted to speak to them. Said three men informed the people on board that they had, or that there were, cattle, stock, &c., for them at Indian River, which the tenders endeavoured to get, but were prevented by Barry's brig, and a small schooner; but he was not in the tenders. When the three men went off in their boat they rowed as far as the back of the Light-house, as he could see, and were convoyed by one of the man-of-war's tenders. One of the people that came on board as aforesaid had a mark like a half-moon on (he thinks) his left cheek and looked like a cut—a well-coloured man, and had on, he thinks, a brown coat and buckskin or other leather breeches; which man he would know again.

"About the first week in May the 'Roebuck' and 'Liverpool' frigates, tenders, &c., came up Delaware River a piece and sent some boats on the Jersey shore to try to get fresh provisions, of which there was great want on board (viz: of flesh, fowls, &c.) and where they brought on board several cattle, which were very poor, but were greedily eaten; after which they proposed to go up the river for fresh water, of which they were in great want, and then afterwards, as he understood from the lower officers, they designed to go to Philadelphia and take it if they could pass the chevaux-de-frise; but if they could not pass them, then to return and lay at Chester awhile. As they came up the river they fired several shots at vessels that were before them, and opposite New Castle they fired two or three shots out of the bow guns at a small sail-boat; that, knowing the cruel disposition and threats of the men-of-war, he was in great pain for some acquaintance he had in New Castle, and with the spy-glass perceived the doors and windows shut and no smoke in the chimneys, and seeing many carts carrying off goods, was in hopes they had fled.

"On or about the 8th of said month (May) the row-galleys attacked the men-of-war, which the officers looked on with disdain, as apprehending they could do little damage to them. However, the 'Roebuck' had a deal of her rigging damaged and some shot in her sides; and as she was endeavoring to get near the row-galleys to sink or destroy them she got into shallow water, so that she could not steer, and ran on the ground near the Jersey shore, above or near Christiana Creek's mouth. At night they expected the fire-ships and galleys down upon them; and as she lay and took such a heel they could not bring her guns to bear and could not make any resistance to bear in the 'Roebuck' but with small arms. There were therefore an anchor and two stream-cables carried out to endeavour to get her

off, and three boats were kept out all night rowing around her and often going nigh the galleys to watch their motions, as they were expected every minute to come down on them, and, as far as he could learn, if they came and hulled them, they had orders to fly on board the 'Liverpool' frigate to save their lives (for which purpose boats were ready) and then the 'Liverpool' was to retreat. But about 4 o'clock in the morning they got the ship off; after which about 40 men were employed in filling and stowing away fresh water (of which they were scarce) though they had store many of their water casks, and also did not expect the galleys would attack them again, as they thought they were much damaged; but as they attacked the men-of-war the second day with more courage and conduct the 'Roebuck' received many shots betwixt wind and water; some went quite through, some in her quarter; and was much raked fore and aft; but the carpenters soon covered most of the holes with what some called a 'plaster,' which prevented her from receiving in the water; otherwise would soon have filled. During the engagement one man was killed by a shot, which took his arm almost off. Six were much hurt and burned by an eighteen-pound cartridge of powder taking fire, among whom was an acting lieutenant, and several were hurt by splinters; but night coming on, and it being difficult to sight her guns in the night, and the galleys could not be seen, it was judged best to retreat, during which they ceased firing for awhile and every man got a drangiven him at his quarters, with directions for every man who was called by his name to be ready to go ashore at New Castle under cover of the cannon to plunder the town and afterwards to burn and destroy it that night, but they were prevented by the row-galleys following so close. During the engagement the captain ordered several of the guns to be loaded with round and grape shot, which were fired at the Rebels (as the captain called them) who stood on the shore and banks. After the vessels had passed New Castle they came to in the night below the town that night to repair the rigging, etc., and the next day the vessels went down to Ready Island, where Captain Hammond hulled the 'Liverpool' and ordered her to go in betwixt the island and the main and destroy the town of Port Penn (we heard drums beating ashore). Accordingly he went, and soon after returned and informed there was not depth of water to get near enough and was afraid his vessel would get aground. Next day the vessels went to the Capes and came to anchor, the carpenters as yet still repairing the vessels, having taken, as he supposes, forty of the row-galleys' boats out of the 'Roebuck,' and some cannot be come at."

A few weeks after this disastrous business in the Delaware the "Liverpool" sailed for Halifax and the "Roebuck" for Norfolk. Barry made his escape from the latter ship while she was off the Virginia coast and returned to Delaware. John Emmes, a Delaware pilot, knew a great deal about the expedition of the "Roebuck." On September 9, 1775, he had left Philadelphia in the brigantine "Sea Nymph," bound for Jamaica. On the 17th the vessel was captured off the Virginia Capes by the British sloop-of-war "Mercury," and after imprisonment on various British ships his familiarity with the navigation of the Delaware was discovered, and on May 3, 1776, he was put on board the "Roebuck" off Cape Henlopen. His narrative, made in an affidavit at Philadelphia on June 21st, relates the passage of the ships up the river and the engagement with the armed boats. Captain Hammond, he says, cleared his ship for fighting as soon as the galleys appeared. About one o'clock in the afternoon the galleys began to fire upon the frigate, at first without reach of their shot, whereupon the ships worked further up the stream and brought their broadsides to bear upon the Americans. The battle continued for several hours before the "Roebuck" went aground, which was at full tide in the afternoon. The ship was practically helpless until the "Liverpool" pulled her off on the rise of the tide twelve hours later. She was listed so much that the lower deck ports were closed to keep out the water on the re-

clined side, and her guns could not have been pointed. Her officers were in expectation of an attack, and when it failed to come could only conclude that the Americans were out of ammunition. Emmes says that during the first day's fight the "Roebuck" was only hulled once by the American shot and some slight damage done to the sails and rigging, but he has a different story to tell concerning the second day:

"The fight was renewed by the galleys coming down the river, the ships immediately on the approach of the galleys being got under sail. The wind being pretty free at southwest the ships turned downwards, working to windward and firing upon the galleys till the ships had proceeded three miles below the town of New Castle, when, it being near ten in the evening, the galleys ceased to fire and retired from the ships. In the second fight the galleys drew nearer to the ships than in the first, though seldom nearer than three-quarters of a mile or thereabouts; on the second day's action one shot of eighteen pound was lodged in the 'Roebuck's' side about three streaks above the water's edge, and another like it on the opposite side nearly as low; one eighteen pound shot entered an upper port, ruined the carriage, dismounted a nine pound cannon, killed one man and wounded two others; five others were wounded, two of them considerably, by a cartridge taking fire. Another eighteen pound shot entered the stern and lodged on board the ship, and two other shots also struck the ship, or seven in all, the rigging, sails and spars of the 'Roebuck' were often struck, damaged and cut, particularly one mizzen shroud, one of the foretopmast shrouds, and two of the back-stays were cut off the main-stay cut as far as a strand and a half and much running rigging broken; the mizzen yard twice wounded so that the lower end was obliged to be cut off, the main yard wounded so that it could not be depended upon the sails pierced several times, not easy to be numbered; the long boat had been damaged in the first fight."

June 11th the Lewistown Committee sent to Congress a notification of the assembling of Tories, supposed to number one thousand, at a spot eighteen miles distant from the town. It was believed that they proposed some movement in co-operation with the British men-of-war lying off Lewes, and the Committee asked Congress "for such immediate assistance as will enable us to take up the principals of this faction and quell this most dangerous insurrection." Captain Henry Fisher's letter from Lewes of the same date, to the Pennsylvania Committee of Safety, gave additional information of the situation at the Delaware entrance to the Bay:

"The 'Liverpool' remains in the Road. The 'Kingfisher' is gone out to sea. As to the restriction you have laid upon me not to man the armed boat with pilots, I must beg leave to acquaint you that our pilots bear a different character to what yours do, and as the boat is to be stationed at our creek's mouth, I cannot see there will be the least danger in letting six pilots go in her, and the remainder landmen, as the pilots are acquainted with great guns and they always can see their danger before they can be surprised. I think I can venture to say the pilots here have been, and are, willing to do everything for the safety of your trade that lies in their power. . . . You must think, gentlemen, that we have no view in this matter but your interest, as we have no trade of our own. . . . I have further to add, that last evening the 'Kingfisher' returned into our Road with a prize brigantine, Captain Walker of Wilmington; but, luckily for us, before the pirates boarded her our brave Captain Barry had been on board of her and taken out some powder and arms. In sight of the 'Kingfisher' this day, about noon, came into our Road and anchored another frigate, whose name I could not learn. . . . You will be so kind as to inform the Congress of the proceedings of the Tories at the head of our country, as I think there will be occasion for some troops from upward to quiet them, as they are breaking out in a surprising manner, and believe me that I shall do everything in my power to give you the earliest accounts of the proceedings of the pirates."

June 13th, Thomas Mc Kean wrote from New Castle, to President Hancock:

"The Assembly here have information this moment by express that there are 1000 Tories under arms in Sussex County, that they assembled near Cedar Creek, about 18 miles on this side Lewes, and that

their intention was to proceed there and join the British forces from on board some men-of-war now in the Horekill Road, who were to land this night in order to cut off three companies of the continental troops at that place, and that it is apprehended that they have been supplied with arms and ammunition by the men-of-war, and, perhaps, may intrench. The militia from Kent marched yesterday, at least half a dozen companies, and the rest were to follow as soon as they could be ready. The detachment of Colonel Hazlet's battalion at Wilmington are ordered down; the like orders will be given to the militia of this county. I should be glad if a ton of powder and some lead could be sent down by land immediately, as it is uncertain to what a height this mad affair may be carried. The militia and regulars are very ill-provided with arms, but we expect soon to give a good account of these misguided people."

On the same night Mr. McKean wrote that the insurgents had dispersed after a conference between some of their leaders and members of the Council of Safety. They denied having had any communication with the British ships or that they were disaffected to the American cause, but Mr. McKean professed his inability to understand what other motives could have prompted so large and apparently so hostile a gathering. It was deemed so alarming by the patriots that a thousand of the Sussex Whigs, an equal number of the Kent militia, a couple of companies of the New Castle militia, and Colonel Haslet's Continentals had been brought together at New Castle to fall in superior force upon the Tories, and were only awaiting orders from the House of Assembly, which had appointed a committee to quiet them by argument, and if that was not possible, to permit the troops to deal with them. However, their dispersal obviated any necessity of a resort to arms, and this "strange affair," as Mr. McKean terms it, was submitted to the Civil Jurisdiction. The country far and near had been stirred up by their proceedings. George Evans, at Brandywine, had been ordered by Colonel Haslet to provide wagons to follow the Continental battalion to Sussex with provisions and found himself without a dollar with which to execute his instructions. He wrote to Michael Hillegas, of Philadelphia, asking for \$1000 or 1500 to meet the emergency, as being "the only gentleman I have any acquaintance with, or can make free with to request so great a favour of."

On the occasion of the parade of Colonel Haslet's Continental battalion at Dover, on May 15th, Rev. Mr. Magaw delivered a lofty, patriotic and inspiring address.

When Congress met on May 10, 1775, the three counties on the Delaware were represented as were ten other colonies. All had been chosen before the clash of arms occurred at Lexington, and were not ready for independence. With the beginning of 1776 a great change had begun to work and it was with great difficulty, after the battles of Lexington and Bunker Hill, that John Dickinson and John Jay had procured the consent of Congress to the second petition to the king. On the day it was presented to him, he issued a proclamation declaring the colonies in rebellion, and invoking all the

forces of the empire to suppress the rebellion. Howe was sent to supersede Gage in Boston; Dartmouth himself was supplanted by Lord George Germaine, and the bargain was consummated for sending the soldiers of Hanover, Darmstadt, and Hesse across the ocean to help conquer the Americans. The news of these things began to be received in America about November 1, 1775. At the same time the king's arms seemed to be checked in their progress everywhere; the colonies were a unit; their levies and musters prospered, and Congress assumed a bolder tone, while the moderates became proportionately discouraged. The press and the people simultaneously took up the cry of independence; the only question was as to the expediency of particular times and methods. The correspondence of the day between the patriots teems with the one idea of permanent separation and independent government. The patriots of Delaware headed by McKean and Rodney urged independence and confederation from day to day, and the camps took up the idea so absolutely that prayers for the king became distasteful.

The feeling spread rapidly in Congress. On Friday, June 7, 1776, Richard Henry Lee, of the Virginia delegation, offered the following resolution: "Resolved, That these united colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great-Britain is, and ought to be, totally dissolved."

This resolution was debated from day to day. As Jefferson said, "the colonies of New York, New Jersey, Pennsylvania, Delaware, Maryland, and South Carolina were not matured for falling from the parent stem, but that they were fast advancing to that state, it was thought most prudent to wait awhile for them."

The vote on the resolution for independence was postponed to Monday, July 1, and a resolve was adopted for the appointment of a committee, "to prepare and digest the form of a confederation to be entered into between these colonies." This committee, appointed June 12, contained among others Thomas McKean of Delaware.

The committee appointed to prepare the declaration brought in a draft of a form on June 28. It was read and laid upon the table. In accordance with the resolution of postponement, on July 1, Congress went into committee of the whole House to consider the resolution of independence offered by R. H. Lee. After due deliberation, at the request of South Carolina, the resolution was not acted upon until the next day. The trial vote on July 1st was indecisive: New York had been excused from voting; the votes of South Carolina and Pennsylvania were given in the negative, and the two delegates from Delaware tied. Nine colonies

voted yea. By agreement the final vote was postponed until next day, in the vain hope of securing unanimity. During the night McKean sent express to Cesar Rodney, his colleague in Delaware, to help him outvote George Read. On July 2d McKean and Rodney cast the vote of Delaware, and Rutledge brought the South Carolina delegates to vote yea, while Pennsylvania's *pro forma* affirmative was secured by the absence of two members. The resolution having been adopted, the Declaration was taken up in Committee of the whole. It was again discussed on July 3rd. On Thursday, July 4th, Mr. Harrison of Virginia, from the committee reported the Declaration of Independence. It was adopted, and copies were ordered to be sent out to the several Assemblies, Conventions, Committees or Councils of Safety, etc., throughout the country, and to the commanders of the Continental troops, so as to have it everywhere proclaimed.

July 2, the day of the adoption of Richard Henry Lee's resolution, is the real independence day. John Adams wrote to his wife next day: "The 2d of July, 1776, will be the most memorable epoch in the history of America." But the 4th was the day of the formal adoption of the formal public declaration of reason for the act, and Congress resolved to celebrate the day as the official Birthday of American independence. This was secured by a resolution adopted July 19, to the effect that "the Declaration passed on the 4th be fairly engrossed on parchment, with the title and style of 'The unanimous Declaration of the thirteen United States of America,' and that the same, when engrossed, be signed by every member of Congress." The journal further says, August 2, that "the Declaration being engrossed and compared at the table, was signed by the members." The signers, however, are not in many instances identical with the members who voted on July 2d and 4th. George Read of Delaware did not vote for independence on the 1st, 2d, or 4th of July, yet his name appears on August 2d as a signer. His objection to the Declaration at the time of its passage was that it was premature. His opposition to independence, however, did not cost him the confidence of his constituents, who re-elected him to Congress and honored him with many high appointments.¹

¹ The *Delaware Register*, Vol. I., pp. 25-26, says: "Not long before the vote was taken on the Declaration, Mr. Rodney had obtained leave of absence from Congress and returned to Delaware to use his personal influence among the people in favor of the measure. During his absence, however, the important question of independence came up; and his colleague, Mr. McKean, well acquainted with his views, and anxious that the declaration should be carried by a unanimous vote of the states, looked for his return with great anxiety; as the day appointed, however, approached, Mr. Rodney, who was unacquainted exactly with it, did not make his appearance, and Mr. McKean sent a special messenger to convey the intelligence to him. The messenger no sooner reached him, than, laying aside all other engagements, he hastened to Philadelphia, where he arrived just in time to give his vote and secure the unanimity of the daring measure. He transmitted an account of it to Dover on the same day; and his friend, Colonel Haslet, in acknowledging his letter on the 6th of July, thus refers to it: 'I congratulate you,

Early in June Congress passed the resolves to call the militia into the general service. President Hancock's letter, informing the Delaware Assembly of this decision, was dated June 4th. In it he spoke of the increased peril to the Revolutionary cause on account of the purchase of the German mercenaries to uphold the British arms in America, and the prospect that the Canadians and Indians would join the King's standard.

"In this situation," he wrote, "what steps are we to pursue? Our Continental troops alone are unable to stem the torrent; nor is it possible at this day to raise and discipline men ready to take the field by the time they will be wanted. From the secrecy with which the Ministry carry on their machinations we neither know their views or how near our enemies may be. In this difficult and trying situation of our affairs, the Congress have come to the enclosed resolves. . . . You will there find the Congress have judged it necessary to call upon the militia at this alarming crisis. . . . The militia of the united colonies are a body of troops that may be depended upon. To their virtue their delegates in Congress now make the most solemn appeal. They are called upon to say whether they will live slaves or die freemen. They are requested to step forth in defence of their wives, their children, their liberty and everything they hold dear. . . . Your colony, I am persuaded, will not be behindhand. Exert, therefore, every nerve to distinguish yourselves. Quicken your preparations and stimulate the good people of your government, and there is no danger, notwithstanding the mighty armament with which we are threatened, but you will be able to lead them to victory, to liberty and to happiness."

Two companies of Colonel Haslet's battalion were on June 18th ordered to Cape May to take the place of the companies previously stationed there, which had been ordered to join their regiment for the expedition to Canada.

On July 5th the Assembly received from President Hancock the following dated on the preceding day:

"GENTLEMEN:—The Congress have this day received intelligence which renders it absolutely necessary that the greatest exertions should be made to save our country from being desolated by the hand of tyranny. General Howe having taken possession of Staten Island, and the Jerseys being drained of their militia for the defence of New York, I am directed by Congress to request you will proceed immediately to embody your militia for the establishment of the flying camp, and march them with all possible expedition, either by battalions, by detachments of battalions or by companies, to the city of Philadelphia. The present campaign, I have no doubt, if we exert ourselves properly, will secure the enjoyment of our liberties forever.

"All accounts agree that Great Britain will make her greatest effort this summer. Should we, therefore, be able to keep our ground, we shall afterwards have little to apprehend from her. I do, therefore, most ardently beseech and request you, in the name and by the authority of Congress, as you regard your own freedom, and as you stand engaged by the most solemn ties of honor to support the common cause, to strain every nerve to send forward your militia. This is a step of such infinite moment that, in all human probability, your speedy

step, on the important day which restores to every American his birth-right; a day which every freeman will record with gratitude, and the millions of posterity read with rapture. Ensign Wilson arrived here last night; a fine turtle feast at Dover anticipated and announced the declaration of Congress; even the barrister himself laid aside his air of reserve, mighty happy.' At the time Mr. Rodney's letter reached Dover, the election of officers of a new battalion was going on; the Committee of Safety, however, immediately met, and after receiving the intelligence, proceeded in a body to the court-house, where (the election being stopped) the President read the Declaration of Congress, and the resolution of the house of Assembly for the appointment of a convention; each of which received the highest approbation of the people, in three huzzas. The committee then went in a body back to their room, where they sent for a picture of the King of Great Britain, and made the drummer of the infantry bear it before the President; they then marched two and two, followed by the light infantry in slow time, with music, round the square; then forming a circle about a fire prepared in the middle of the square for that purpose, the president, pronouncing the following words, committed it to the flames: 'Compelled by strong necessity, thus we destroy even the shadow of that king who refused to resign over a free people.' Three loud huzzas were given by the surrounding crowd; and the friends of liberty gained new courage to support the cause to which they had embarked."

compliance will prove the salvation of your country. It is impossible we can have any higher motive to induce us to act. We should reflect, too, that the loss of this campaign will inevitably protract the war, and that in order to gain it we have only to exert ourselves and to make use of the means which God and nature have given us to defend ourselves. I must, therefore, again repeat to you that the Congress most anxiously expect and request that you will not lose a moment in carrying into effect this requisition with all the zeal, spirit and despatch which are so indispensably required by the critical situation of our affairs."

Under the resolve of Congress to form a flying camp of ten thousand men to serve until December 1st, six hundred were apportioned to Delaware, 3400 to Maryland and 6000 to Pennsylvania. The detail of the militia to the flying camp gave the Tories freedom to attempt further mischief. In July they became exceedingly active, particularly in Sussex County. Colonel David Hall kept as close an inspection as possible of their movements, and wrote President Hancock from Lewes, on July 5th, the information that he had gained:

"Sir:—I have the honor to enclose sundry depositions containing, as we think, a true state of the general disaffection that prevails among the people in the county of Sussex. Sundry gentlemen from the neighborhood of Broad Creek and Wicomico have been qualified to the truth of it, on whose attachment to the cause of America we very much depend. The Council of Safety has ordered down part of an independent company now under their direction. A company of the Delaware Battalion is also preparing to march. The most alarming circumstance is the danger of Lord Dunmore's recruiting with success among the disaffected, who repair to him without reserve and supply him with the produce of the country. We earnestly entreat that Congress may take the matter into their serious consideration, and order what may be thought necessary to fix the minds of the wavering and secure the common safety."

The communication enclosed by Mr. Hall, chairman of the Sussex Council of Safety, was signed and sworn to by Jonathan Bell, John Polk, John Creighton, Joseph Forman, John Mitchell, Isaac Horsey, Levin Connaway and Robert Houston: patriotic residents of the Broad Creek district. They said:

"The situation of the part of the country in which we live having of late appeared to us rather critical, and a number of armed vessels lately appearing in our rivers, occasions us to think ourselves bound in duty, both to our country and our families, to lay our case before you, both for advice and assistance. We need not inform you that a large majority of the people in the lower part of this county appear disaffected, which, being lately fully demonstrated by these hostile appearances, occasions troops to be sent from above to quiet them, and we are sorry to say that it is our opinion they (viz.: the enemies of the cause) are not better affected than they were before these troops came (we mean in the parts near us), although we are fully of the opinion that the gentlemen appointed and sent down as heads of that business thought proper to have a few hundred riflemen sent amongst us at that time, who took up some of the most insolent and put them in confinement, disarmed the offenders of less note, and left a few troops as a protection to the well disposed. Things at this time should have worn a face much more in favour of the country than it now does."

The memorialists recited their discovery of the British war-ship *Fowey* and several tenders in the Nanticoke River, Maryland, where they were being furnished with cattle and provisions by the people, and added—:

"This much you may depend upon, that vast numbers of the inhabitants of Somerset and Dorchester Counties in Maryland and Sussex County in Delaware have men on board these men-of-war and tenders, either trading, enlisting, taking the oath of allegiance, or something we are really not informed of, but we have it from such authority that we do really believe that they purchased some sorts of goods from the tenders very low, and also that the captain of the tenders registers the name of every person who goes on board of them. We are also fully convinced that numbers of the inhabitants have actually voluntarily entered into the service under Dunmore, some of whom, we have reason to believe, now bear command on board these tenders, and we look upon

them as a more dangerous enemy than the Europeans. They know our country and are able to carry the vessels they command to the heads of our rivers; and it is reported (and we believe it to be true) that these traitors have sent word, by their neighbors who have been down on board trading, to their relations who live in the heart of the country that in a very short time they, with their armed vessels, will pay them a visit. It would be impossible for us to relate to you on paper every threat that has been thrown out by the disaffected amongst ourselves, as well as the people on board the tenders and ship-of-war, and, therefore, shall only add that from the disaffection amongst ourselves which we conceive to be so great that there is at least six disaffected to one firm man for America. We say from that melancholy appearance and from the arrival of these armed vessels we think it our duty to make application to you for the assistance of men, and make no doubt but that if it is in your power you will grant it to us. If it is not in your power, we must be candid enough to inform you that self-preservation will oblige us either to leave our livings or fall in and run with the current, either of which will be hateful to us. But we believe it cannot be required of us to offer ourselves sacrificers for our country without there being some prospect of benefit arising therefrom.

"If, gentlemen, upon reflection, you judge it practicable and expedient to grant us men, we beg that they may continue stationed among us until we shall appear able to protect ourselves, and for that purpose we pray you will in our behalf make application to Congress that we may not be liable to have them called away and again be left destitute, for if we should have them only a short time and then taken from us our case would be worse than now, as revenge might prompt our enemies to more desperate actions. Although we represent our case to be distressing, we do not mean to represent it as past hope for we are of opinion, if you favour us with only three or four good companies with prudent officers, we shall not only be able to defend ourselves, but also that it will be a means of reclaiming a considerable number of the disaffected and bring them to their duty, as it will enable our officers to pursue such steps as is necessary to accomplish this purpose so much wished for."

To this petition was affixed the affidavit of Enoch Scudder, who testified that on July 3d, travelling down from Philadelphia, he met four men near Cedar Creek, who questioned him regarding the landing of Lord Dunmore, and informed him that 1500 men could be collected in that vicinity to join the British commander.

Cesar Rodney did not think it advisable at this time to send troops into Sussex County to suppress the Tories. Regarding such measures he wrote from Philadelphia, July 10, to his brother Thomas:

"I am of opinion that any good effect that might flow from them must be local—I mean that it would be confined principally to the inhabitants of that county; and on the other hand—at a time of such imminent danger, when powerful armies are actually knocking at our gates and the serious attention of every friend of American liberty is employed in giving that manly opposition to those vile invaders of their just rights, privileges and property—whether it would be prudent to hold out to the world such numbers of internal enemies, especially as by the manly and determined spirit prevailing in Congress, their wings must and will be clipped. The declaration has laid the foundation and will be followed by laws fixing the degrees of offence and punishment suitable. Some people have done things which, if done in the future, nothing less than life will be sufficient to atone for. These enemies to our righteous cause will, I apprehend, be less on their guard if they are not held up in that public way than if they are, and will undoubtedly meet their due reward, provided you pursue steadily your line of patriotism and at the same time keep a watchful eye toward their conduct in the politics of your country."

On June 14th the resolution passed by Congress on May 15th, relative to the formation of a government in each of the Colonies, was unanimously approved by the Assembly, which on the next day passed the following:

"Whereas, it has become absolutely necessary for the safety, protection and happiness of the good people of this colony forthwith to establish some authority adequate to the exigencies of their affairs until a new government can be formed:

"And Whereas, the representatives of the people, in this Assembly met, alone can, and ought, at this time to establish such temporary authority:

"Resolved, unanimously, that all persons holding any office, civil or military, in this colony on the 13th day of June, inst., may and shall

continue to execute the same in the name of the government of the counties of New Castle, Kent and Sussex, upon Delaware, as they used legally to exercise it in the name of the King, until a new government shall be formed agreeable to the resolution of Congress of the 15th of May last."

In pursuance of this resolution on July 27th, the House of Assembly resolved to recommend to the people of the counties to elect deputies to a convention "to order and declare the future form of government for this state." In making this call the Assembly announced that its members did not consider themselves authorized by their constituents to execute the important work of setting up a new state, but they declared their opinion that the convention should consist of ten members from each county, to be elected by the freemen on August 19th, under the laws regulating elections for members of the Assembly, except that the Inspectors should be chosen on the morning of election day in each of the Hundreds. If one or more of the judges of election required it, any elector offering his vote was to be placed upon oath to support and maintain the independence of this government as declared by the honorable Continental Congress." The State Convention was ordered to meet at New Castle, August 27th. The policy of the Whigs was outlined in Cesar Rodney's letter from Philadelphia, August 3d, to his brother Thomas, of which the following is an extract:

"With respect to the choice of a convention I would leave it to you and your friends whether, when you have fixed on such ticket as meets your approbation, it would not be better to pursue, and endeavour to impress the utility of such choice being made by the people (especially at a time when the establishing their rights and privileges as freemen depends on such choice) upon your former plan, I mean of true Whigism, true patriotism. This plan, if pursued with diligence and such cool argument and reasoning as the case will point out and justify, I think must carry with it persuasion and conviction. It certainly will with all such as are not governed by a party spirit. If any person or persons be proposed in opposition to your ticket who have heretofore been unfriendly to the cause, point out to the people their former conduct and submit to them the impropriety of trusting to such men at such an important crisis. Your scheme ought to hold out more of the patriot than party man. I will again submit whether the inquiry and examination proposed to be had before the committee will not tend so to irritate as to occasion many people, by taking sides in the matter, to lose sight of the cause—their true interest; for if they are led to believe that you and your friends are governed more by a party spirit than by the true interests of America, they will hold you in the light of all other party men, and deal with you accordingly. You say the committee are about to make this inquiry. Are there a sufficient number of patriots in that committee to answer your expectation? Are there a considerable majority of them that wish the inquiry should be had? Will they, if matters turn out as you expect, publish their opinions to the country, so that the friends of liberty may benefit by it? It is an inquiry that ought to have been made, but it is an inquiry that ought to be made by men of understanding only. Do such make a majority of the committee?—the good men. By what authority do they take it up? Are not many of the members principals in the matter of inquiry? All these things I submit to the prudence and good sense of you and your friends, though you seem to be determined on the measure, by your letter, before my opinion was asked. In short, it is difficult to give an opinion in this case, as I am a stranger to the present complexion of the committee. However, as this convention is undoubtedly the most important Assembly that ever was chosen in that government, I would advise the avoiding every kind of violence, and, on the other hand, the utmost diligence and persuasion to procure as many friends to liberty on the return as possible. By this means men who have heretofore been unfriendly, if properly pointed out, cannot prevail."

General Rodney was apprehensive that the Tory or Conservative element might elect a majority of the delegates to the Convention. Writing again to his brother, on August 14, he said:

"By your letter I stand informed as to the names of your antagonists in the ensuing election, and am pleased to find you hope to succeed. But are you not too sanguine in your expectation? I wish your ticket may be supported by the freemen of the country, because I believe those men wish to have the great work in which we are now engaged finished in such a manner as to afford to the community at large that personal safety, security of property, free enjoyment of religious persuasion and that equal and easy distribution of justice which they have a right to expect, and without which they cannot be happy. I did not expect to be carried in the other ticket because I see some names there who I believe are too far gone in personal prejudice and private enmity to do justice to merit or to consider the rights and privileges of the people at large their interest. But if the people cannot, or will not, see these things, though glaring, they must suffer."

At the opening of the polls at Dover, on August 19, the subjoined address was delivered:

"COUNTRYMEN, FRIENDS OF LIBERTY:—Having a few things to mention to you previous to your entering upon the principal business of the day, without making any formal apology for so doing, which you would deem unnecessary, for I know your candour, I only request your favourable attention a little while. Where measures relating to the publick are founded on pure, liberal and upright principles, they who take an active part in them, being properly qualified for the task, cannot but possess a conscious firmness, a noble self-complacency, while they who in the more retired walks of life observe and feel the salutary effects of those measures have little more to do than give their approbation and to sit down in quiet; they earnestly wish and hope for their country's safety, should that remain yet doubtful, and will heartily rejoice therein when it becomes established. Of this latter number I account myself. With many others, peaceably yet very ardently, am I looking for the complete propitious issue of American defensive efforts; and though there be manifold dangers still to excite apprehension and difficulties not a few to be encountered, yet have we cause to thank a gracious Providence that thus far our affairs are tolerably successful. Publick men and publick operations throughout these rising States will, with very few exceptions, I really believe, shed on the American name conspicuous, lasting honor."

The writer touched upon the causes of the Revolution and proceeded:—

"It may be laid down, indeed, as a first principle, (and I presume we have the best writers on government to support us) that all power resides originally in the people. Some have talked, and written too, of a Divine right upon a very different principle, but never yet could they render their positions even plausible. It appears much more reasonable to suppose that the Ruler of the Universe hath lodged the Divine right in the hands of the governed. By whomsoever the reins of government are held—whether its form be simple or compound—whether the departments be few or many in the State—it is the people's authority that is deposited with each, and to them the constituted powers are beyond a doubt accountable. The general welfare—the people's happiness—being the end and main object of all they are to judge; for they can discern and feel how far that end is answered, and in their collective capacity to act as exigencies may require, but ever through the medium of prudence and sound discretion.

"Had not the rulers of Great Britain, to whom we so long with pleasure acknowledge ourselves subordinate, infringed upon our liberties and broken down the barriers of public security; had they not made light of the most sacred compacts and given wounds to the good old constitution, at least so far as America is concerned, would by no means have taken those steps that of necessity we must now pursue. A fondness for innovation we have never shown. Opposition to constitutional authority we have never given. All we have been asking for, and all we wish now to attain, is 'peace, liberty and safety,' and if we cannot enjoy these blessings in one system we must try another. This is the footing on which we stand; here is the ground on which we proceed, and we trust in God it is firm enough to bear us.

"You must be sensible, then, my respected countrymen, of the high privilege long since clearly recognized, fully ascertained to you: the privilege, the right of governing yourselves, a circumstance absolutely essential to civil liberty. But as this can only be effected by delegation, it being utterly inconvenient and impracticable for the whole people personally (for instance, in such a body as attends here to-day, or one a vast deal larger) to be present at the passing of every ordinance and law, it is incumbent on them to be exceedingly careful who they appoint to act in their behalf. Want of proper circumspection in this particular is highly culpable; I scarce know anything that can excuse it. And whether such infidelity to themselves and to their country proceeds from people's indolence of temper; from a supine indifference about the matter—who or what kind of men are appointed; or whether it springs from venal, corrupt views; or, lastly, from faction and the manoeuvres of party business, the evils accruing to society are much the same; the consequences in the end may prove fatal.

"Now, brethren convened on this occasion, you are well acquainted with the purpose of your meeting; you know the importance of it. There never was, perhaps, an election held in this country, or this government, half so interesting as the present. Be very cautious, be

rational, be dispassionate, be prudent, be just to yourselves and to your children.

"What you have to do is to choose suitable men; men who have skill and integrity equal to the business you are sending them upon. The Congress hath pronounced you independent and free; it will rest with your convention by their judicious management to secure to you the happiness and safety that may result from that declaration. For a state may be free and independent with respect to the impositions of any foreign power; and nevertheless, through the vices of its own policy or the arbitrary disposition of its own rulers, the people of it be slaves, or at best have a very precarious security and a defective enjoyment of their privileges. Bore good meaning in your representatives, without capacity, is insufficient; so is capacity without an honest heart. You can find men among you possessed of both; men, I trust, unbiased by prejudice, not warped by passion, above the narrowness and illiberality of injuring the general welfare out of private resentment or for private interest. They also, in particular, who have already conducted themselves well in the sphere of public usefulness ought not to be overlooked now by a grateful, sagacious people.

"Beware your guard against a party spirit, or you will be misled. Beware of those who would increase subsisting jealousies and exasperate you against each other. Though such supporters of the common cause, be they of what distinction or side they please, it matters not, do assume a patriotic semblance, or may address you under signatures no less than of Roman dignity, listen not to their story with attention over-credulous; think for yourselves; judge for yourselves. 'They zealously affect you, but not well.' Their ways and means are quite incompetent to beneficial ends. The spirit of patriotism is no headlong, noisy effervescence, nor any ebullition of the mind; it delights not in tumult, revenge or outrage. It is a pure, manly flame, superior to the mists of faction, regarding no party names, exalting the soul to deeds of diffusive virtue. It is allied so close to the spirit of Christianity as to claim these as its predominant qualities; an undimmed firmness, a generous, expansive benevolence, with zeal, wisdom and clearness of understanding; for it, too, is a spirit of power and of love and of a sound mind."

"Permit me, then, to charge you with an affectionate solicitude—to entreat you as a brother and fellow-inhabitant, whose hopes and interests are one with yours, to lay divisions and animosities entirely aside; they will, unless relinquished, distract our councils; enervate, retard and disfigure our most useful proceedings at home, and utterly discredit us abroad. Let us be united and at peace by all means among ourselves. If ever unanimity was a virtue it must be one at the present juncture, and a pre-eminent virtue it is in a worthy cause.

"It is more than probable that in the process of this day there will be diversity of opinions amongst you and a contrariety of endeavors; there will be planning, no doubt, and counter-planning. This may arise from the nature of the business, for aught I know, and possibly in itself may not be censurable in the least or harmful to the bonds of peace, provided men act from an upright motive, conducting their plans or their opposition, if they must oppose one another, with humanity, good sense and decency. But 'bitterness and wrath and clamor and evil-speaking and malice.' Oh, fy, fy on them! they are to be classed with things most 'rank and foul in nature.'

"At an election it is implied that certain persons, either upon their own motion or proposed by some one or other of the electors, do stand candidates for an appointment, whatever it is. Here, then, the electors or constituents have a right to exercise their own judgment, and people will differ sometimes in opinion. They have the privilege of choosing for themselves, and they may differ in their choice. But, still, it is every one's indispensable duty to inform his judgment as well as possible and to use his privilege so as not to abuse it. The sure way is to conduct yourselves clear of prejudice and undue influence.

"I step not forward as an advocate for tests, on occasions of this sort especially; yet, perhaps, if everyone who sets up at an election and every voter, laying his hand upon his heart, were virtually to put some such test to himself as the following: Do I solemnly think that I am a suitable person for the place or trust I am soliciting? or, do I solemnly believe that the person or persons I vote for and whose interests I am pushing, are duly qualified? and is my opposition to others grounded on principle? it would tend to preserve both moral and civil liberty.

"The mention of this test brings to my mind another: I mean that which the Honorable Assembly have empowered the judges of election to put, as they may think fit, to any or all of the voters. What I would observe on it (and I do it with great deference) is no more than this: If it was only meant as a restraint upon those who may be disaffected to the American cause, it was meant well; but if it should prove a bar to any tender or scrupulous consciences, so that a considerable class of men, otherwise good friends to their country, are withheld from their right, it is a pity. However, you, gentlemen, inspectors and judges, have a discretionary power in the matter, and we need not doubt your exercising it in a manner delicate and unexceptionable. Now, I conclude, wishing this county success in the event of this interesting day and desiring for the sister counties a similar felicity. May we and they always have a succession of able, good men to manage our political concerns, incorruptible guardians of the rights of freemen, the honest representatives of an honest people. Like another Sparta, may this little state be wise and brave and great; great in strength but greater still in virtue, holding its rank with unimpaired dignity in the scale of American empire."

Thomas Rodney was defeated as a candidate for the Convention, and Caesar Rodney's letter, of August 21, points to the cause:

"Last night by the post I received an account of your defeat at the election, and in which I was not disappointed, being convinced you continued to be too sanguine in your expectations without taking the necessary steps to carry a point of that sort; added to all the rest of your bad policy, you suffered Caldwell's company to march away just before the election when there was no necessity for it, as the other companies were not half full in any of the counties. Parke tells me the conduct of your light infantry heretofore had drawn down the resentment of the people, which put it in the power of that party who were opposed to you to make this use of it."

The Delaware Convention assembled at New Castle, August 27, 1776, and was continued by adjournment to September 21. Each member took this oath:

"I ——— will, to the utmost of my power, support and maintain the independence of this state as declared by the honorable the Continental Congress; and I will, to the best of my ability, endeavor to form such a system of government for the people of this state as in my opinion may be best adapted to promote their happiness and secure to them the enjoyment of their natural, civil and religious rights and privileges."

"I ——— do profess faith in God the Father, and in Jesus Christ his only Son and in the Holy Ghost, one God blessed forevermore; and I do acknowledge the Holy Scriptures of the Old and New Testament to be given by Divine inspiration."

The Constitution adopted contained thirty articles. The first declared that hereafter the government of the counties of New Castle, Kent and Sussex, shall in all public and other writings be called "The Delaware State." The Constitution further provided for the formation of the General Assembly, the popular branch of which was styled the House of Assembly and made up of seven members from each county, elected annually by the freeholders. The upper branch, or Council, consisted of nine members, three to be chosen for each county at the time of the first election for the Assembly. They were required to be freeholders and over 25 years of age. In regard to them a curious system of rotation in office was established. The Counsellor having the smallest number of votes in his county served but one year; he having the next largest number, two years; and he having the greatest number, three years, the vacancies being annually filled by election as they occurred. The right of suffrage remained as under the colonial government, and each house was invested with full power over the election of its officers, and to judge of the election and qualifications of its members. A member might be expelled for misbehavior, but if his constituents should return him he was confirmed in his seat. All money bills must originate in the House of Assembly, but in all other legislation the powers of the branches were co-ordinate. The executive office was lodged in a "President or Chief Magistrate," chosen by joint ballot of the two branches, the Speaker of the Council to have an additional and deciding vote in case of a tie. His term of office was three years and he was not eligible to re-election until three years after its expiration; an "adequate

but moderate" salary was attached to the office. His powers were very strictly defined thus :

"He may, by and with the advice of the Privy Council, lay embargoes or prohibit the exportation of any commodity for any time not exceeding thirty days in the recess of the General Assembly. He shall have the power of granting pardons or reprieves, except where the prosecution shall be carried on by the House of Assembly or the law shall otherwise direct, in which cases no pardon or reprieve shall be granted but by a resolve of the House of Assembly; and may exercise all the other executive powers of government, limited and restrained as by this Constitution is mentioned, and according to the laws of the State."

In case of the President's death, disability or absence from the State his functions devolved upon the Speaker of the Council, and if the latter was incapacitated or should die the Speaker of the House of Assembly assumed the office until a new election.

An important addition to the executive establishment was the Privy Council, without the concurrence of which the President's prerogative was little more than nominal. This body was made up of two members chosen by each branch of the Assembly, but no regular officer of any army or navy was eligible, and a member of either branch elected to it must give up his legislative seat. Three members of the Privy Council made a quorum and their proceedings were to be open to the Assembly whenever it called for the record. They were required to attend the President upon his summons. Two members were removed by ballot, one by each branch of the Assembly, at the end of two years, and the remaining two the year, their places to be filled by election as in the original manner. No Privy Counselor could again fill the office within three years at the expiration of his term. With the advice and consent of this Council, the President could call out the militia, of which, and of all other military forces of the State he was Commander-in-Chief. Either house of the General Assembly could act independently in the matter of adjournment, but they were required to sit at the same time and place. The President was not permitted to adjourn or dissolve them, but with the concurrence of the Privy Council, or on the application of a majority of the members of either house he could call a special session. The delegates to the Federal Congress were chosen annually, but the General Assembly could supersede them at any time by a joint ballot.

The judiciary system was provided for by the 12th article :

"The President and General Assembly shall by joint ballot appoint three Justices of the Supreme Court for the State, one of whom shall be Chief Justice, and a Judge of Admiralty and also four Justices of the Courts of Common Pleas and Orphans' Courts for each county, one of whom in each Court shall be styled Chief Justice (and in case of division on the ballot the President shall have an additional casting voice) to be commissioned by the President under the great seal, who shall continue in office during good behavior; and during the time the Justices of the Supreme Court and Courts of Common Pleas remain in office, they shall hold none other except in the militia. . . . The President and Privy Council shall appoint the Secretary, the Attorney-General, Registers for the Probate of Wills and granting Letters of Administration, Registers in Chancery, Clerks of the Courts of Common Pleas and Orphans' Courts and Clerks of the Peace, who shall . . . remain in office during five years if they behave themselves well; during which time

the Registers in Chancery and Clerks shall not be Justices of either of the said Courts of which they are officers, but they shall have authority to sign all writs by them issued and take recognizances of bail."

The House of Assembly was empowered to name twenty-four persons in each county, from whom the President and Privy Council should appoint twelve as justices of the peace to serve for seven years; members of the Legislature and Privy Council were ex-officio justices of the peace. All officers of the army or navy were to be elected by the General Assembly, but the President could appoint all civil officers not otherwise provided for by the Constitution. The Court of Appeals was constituted of the President and three members to be chosen by each house of the Assembly, and exercised all the powers and authority given by law in the last resort to the King in Council under the old government. The President and all other officers were liable to impeachment by the House of Assembly before the Legislative Council for offenses against the State, "either by mal-administration, corruption or other means, by which the safety of the commonwealth may be endangered," within eighteen months after the offense was committed, and punishment upon conviction was that they should be "forever disabled to hold any office under government or be removed from office, *pro tempore*, or subjected to such pains and penalties as the laws shall direct." The 26th article was :

"No person hereafter imported into this State from Africa ought to be held in slavery on any pretense whatever; and no negro, Indian or mulatto slave ought to be brought into this State for sale from any part of the world."

The first election for the General Assembly was appointed to take place October 25, 1776, and the body was directed to meet October 28th, the members to be elected yearly. To prevent any violence or force being used at the elections, no armed person was allowed to come to any of them, no muster of the militia could take place on election day, and no battalion or company could give in their votes immediately succeeding each other if objection was made by a voter offering his ballot. No company or battalion was permitted to remain within a mile of a voting-place within the twenty-four hours preceding or following election day. Having thus guarded against military interference, the framers of the Constitution took care of religious freedom, while providing against sectarian influence in public affairs :

"There shall be no establishment of any one religious sect in this State in preference to another, and no clergyman or preacher of the gospel, of any denomination, shall be capable of holding any civil office in the State, or of being a member of either of the branches of the Legislature, while they continue in the exercise of the pastoral function."

The final paragraph of the instrument ordained that the provisions relating to the name of the State, the status of the Legislature, the slave trade and the exclusion of the clergy from office ought never to be violated on any pretense whatever. As to changes in other parts of the Constitution, they might be made with "the consent of five parts in seven of the Assembly and seven members of the Legislative Council."

In this convention George Read presided, and James Booth was clerk. The members from the three counties were the following:

New Castle,—Nicholas Van Dyke, Richard Cantwell, Alexander Porter, John Thompson, Abraham Robertson, Thomas McKean, George Read, John Evans, John Lea, John Jones.

Kent,—Thomas Collins, Charles Ridgely, James Sykes, Richard Bassett, Jacob Stout, John Cook, Samuel West, John Clarke, Thomas White, Richard Lockwood.

Sussex,—Jacob Moore, James Rench, Isaac Bradley, John Wiltbank, Isaac Horsey, Wm. Polk, Joshua Hill, Peter Hubbert, Phillips Kollock, Alexander Laws.

The "Declaration of Rights and Fundamental Rules," a strong and compact document, read:

"1. That all government of right originates from the people, is founded in compact only and is instituted solely for the good of the whole.

"2. That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understandings, and that no man ought or of right can be compelled to attend any religious worship or maintain any ministry contrary to or against his own free will and consent, and that no authority can or ought to be invested in, or assumed by any power whatever, that shall in any case interfere with, or in any manner control, the right of conscience in the free exercise of religious worship.

"3. That all persons professing the Christian religion ought forever to enjoy equal rights and privileges in this State, unless under color of religion any man disturb the peace, the happiness or safety of society.

"4. That the people of this State have the sole, exclusive and inherent right of governing and regulating the internal police of the same.

"5. That persons entrusted with the Legislative and Executive powers are the trustees and servants of the publick and as such accountable for their conduct; wherefore, whenever the ends of government are perverted and publick liberty manifestly endangered by the Legislative singly, or a treacherous combination of both, the people may and of right ought to, establish a new or reform the old government.

"6. That the right in the people to participate in the Legislature is the foundation of liberty and of all free government, and for this end all elections ought to be free and frequent; and every freeman having sufficient evidence of a permanent common interest with and attachment to the community hath a right of suffrage.

"7. That no power of suspending laws or the execution of laws ought to be exercised, unless by the Legislature.

"8. That for redress of grievances and for amending and strengthening the laws the Legislature ought to be frequently convened.

"9. That every man hath a right to petition the Legislature for the redress of grievances in a peaceable and orderly manner.

"10. That every member of society hath a right to be protected in the enjoyment of life, liberty and property, and therefore is bound to contribute his proportion toward the expense of that protection and yield his personal service when necessary, or an equivalent thereto; but no part of a man's property can be justly taken from him or applied to publick uses without his own consent or that of his legal representatives; nor can any man that is conscientiously scrupulous of bearing arms in any case be justly compelled thereto if he will pay such equivalent.

"11. That retrospective laws punishing offenses committed before the existence of such laws are oppressive and unjust and ought not to be made.

"12. That every freeman for every injury done him in his goods, land or person by any other person, ought to have remedy by the course of the law of the land, and ought to have justice and right for the injustice done to him freely without sale, fully without any denial and speedily without delay, according to the law of the land.

"13. That trial by jury of the facts where they arise, is one of the greatest securities of the lives, liberties and estates of the people.

"14. That in all prosecutions for criminal offenses, every man hath a right to be informed of the accusation against him, to be allowed counsel, to be confronted with the accusers or witnesses, to examine evidence on oath in his favor and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

"15. That no man in the Courts of Common law ought to be compelled to give evidence against himself.

"16. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

"17. That all warrants without oath to search suspected places, or to seize any person or his property, are grievous and oppressive; and all general warrants to search suspected places or to apprehend all persons suspected, without naming or describing the place or any person in special, are illegal and ought not to be granted.

"18. That a well-regulated militia is the proper, natural and safe defense of a free government.

"19. That standing armies are dangerous to liberty and ought not to be raised or kept up without the consent of the Legislature.

"20. That in all cases and at all times the military ought to be under strict subordination to and governed by the civil power.

"21. That no soldier ought to be quartered in any house in time of peace without the consent of the owner; and in time of war in such manner only as the Legislature shall direct.

"22. That the independency and uprightness of Judges are essential to the impartial administration of justice and a great security to the rights and liberties of the people.

"23. That the liberty of the press ought to be inviolably preserved."

The convention was not controlled by the more advanced section of the patriot party, and although it acted mainly under the influence of George Read, who is, indeed, credited with being the author of the Constitution, its proceedings and results were far from being satisfactory to his colleagues in Congress, Messrs. McKean and Rodney. Much apprehension existed on the part of the latter that the convention would arrogate to itself the function of electing delegates to Congress, in which case Rodney and McKean would surely have been displaced. Mr. McKean was determined that the convention should not turn himself or any one else out of Congress, and if such a move were attempted, he would make the issue before the people. Mr. Rodney's letter of August 28th, from Philadelphia to his brother Thomas, exhibits the same firm purpose. Thomas Rodney was in full sympathy with this antagonism toward the majority of the convention, and wrote in reply:

"Though the people in a popular government often put away good men for bad ones, and though such a change could not be more dangerous at any time than the present, yet I look on the present change with no less an example which favors liberty. If the people will not continually support those men who have served them faithfully at all hazards, it cannot be supposed that they will long support those men who, in opposition to the publick weal, pursued their own private interest only. These men, by a violent exertion of the influence of the Magistracy, and descending to assert the most base, low and infamous falsehoods, have succeeded for once because the people were so blinded that they could not see their true interest. But be assured that they that set them up will pull them down again."

Much harsh comment was also directed against the Constitution and the form of government which it set up. "Philo-Alethias" published on October 10th a sharp criticism, in which he applied Montesquieu's remarks that "There are some good things in the Delaware Constitution, which are evidently borrowed from the Pennsylvanian, but mangled like a school-boy's abridgement of a *Spectator* paper. Some of their Bill of Rights, explained by Tories, might prevent all American defense. Justices of the Peace may also be As-

semblymen, *i. e.*, 'Make and execute laws which destroy all liberty!'" The most particular fault which "Philo-Alethias" found with the Delaware political establishment was, that while it contained only three counties, it had four distinct legislative bodies—an Assembly, Legislative Council, President and his Privy Council. "All these opposite and incoherent powers," he says, "in that small and greatly-divided handful must produce endless jars and confusions, till one of these powers becomes an aristocracy, and, like Aaron's serpent, swallows up all the rest or betrays the whole to some foreign power, which we know the present representatives of two of these counties, who have been counted all along enemies to the cause of America, would, if they durst, presently do. However, they have the nomination of members of Congress, and may thereby expect it if such discolored parts of other States prevail. They have also made their form of government without an appeal to the people, or hearing any objections, or giving any appeal to Congress, though one whole county was not represented in convention, except only the Tories in it."

However, Delaware settled down under this new form of government and proceeded with the raising of troops, the record of which we shall now follow throughout the war. We have already seen that previous to the Declaration of Independence the militia of the three counties had been rudely organized and had done duty in various skirmishes on the western shore of the bay, but the time had now arrived for the formation of corps fit to meet the highly-disciplined troops of the enemy. The first regiment raised was that of Col. John Haslet, which was, in fact, in process of formation before independence had been declared. They were State troops—that is, a command organized under the colonial laws and furnished by the colony or State of Delaware upon the call of Congress, who appointed their field officers. The regiment comprised eight companies of about one hundred men each, and on January 19, 1776, Congress elected as its field officers, John Haslet, colonel; Gunning Bedford, lieutenant colonel; and John MacPherson, major.¹

Although the fact was not known to Congress, Major MacPherson was dead at this time. He was an aid to General Montgomery and was killed beside his chief at the storming of Quebec, December 31, 1775. Consequently, Thomas Maedonough was elected to the position on March 22, 1776, and the only roster of the regiment in existence shows the field officers already mentioned and the following officers of companies, a list more complete than Mr. Whitely was able to obtain:

¹ "The Revolutionary Soldiers of Delaware," a paper read by Wm. G. Whitely before the Delaware Legislature, February 15, 1875. To Mr. Whitely's paper we are indebted for many of the facts comprised in these pages.

Name and Rank.	Date of Commission.
1st, Capt. Joseph Stidman.....	Jan. 13, 1776.
2d, Capt. Jonathan Caldwell.....	Jan. 15, 1776.
3d, Capt. David Hall, Jr.....	Jan. 16, 1776.
4th, Capt. Henry Darby.....	Jan. 17, 1776.
5th, Capt. Charles Pope.....	Jan. 18, 1776.
6th, Capt. Nathan Adams.....	Jan. 19, 1776.
7th, Capt. Samuel Smith.....	Jan. 20, 1776.
8th, Capt. Joseph Vaughan.....	Jan. 21, 1776.
1st, 1st Lieut. Lewis Howell.....	Jan. 13, 1776.
2d, 1st Lieut. John Patten.....	Jan. 15, 1776.
3d, 1st Lieut. Jonathan Harney.....	Jan. 16, 1776.
4th, 1st Lieut. Robert Kirkwood, Jr.....	Jan. 17, 1776.
5th, 1st Lieut. James Wells.....	Jan. 18, 1776.
6th, 1st Lieut. James Moore.....	Jan. 19, 1776.
7th, 1st Lieut. John Dickson.....	Jan. 20, 1776.
8th, 1st Lieut. Joseph Frint.....	Jan. 21, 1776.
1st, 2d Lieut. Enoch Anderson.....	Jan. 13, 1776.
2d, 2d Lieut. George McCall.....	Jan. 15, 1776.
3d, 2d Lieut. John Learmonth.....	Jan. 16, 1776.
4th, 2d Lieut. Wm. Popham.....	Jan. 17, 1776.
5th, 2d Lieut. Alex. Stuart, Jr.....	Jan. 18, 1776.
6th, 2d Lieut. James Gordon.....	Jan. 19, 1776.
7th, 2d Lieut. James Maedonough, Jr.....	Jan. 20, 1776.
8th, 2d Lieut. John Perkins.....	Jan. 21, 1776.
1st, Ens. Thomas Holland.....	Jan. 13, 1776.
2d, Ens. James Stephens.....	Jan. 15, 1776.
3d, Ens. Cord Hazard.....	Jan. 16, 1776.
4th, Ens. Peter Jacquet, Jr.....	Jan. 17, 1776.
5th, Ens. John Wilson.....	Jan. 18, 1776.
6th, Ens. Thomas Nixon, Jr.....	Jan. 19, 1776.
7th, Ens. Abram Carty.....	Jan. 20, 1776.
8th, Ens. Wm. Vaughan.....	Jan. 21, 1776.

STAFF OFFICERS.

Chaplain.....	Rev. Joseph Montgomery.
Surgeon.....	James Tilton, M.D.
Quartermaster.....	Robert Ball.
Adjutant.....	Thomas Holland.

A large proportion of the regiment were at Dover on July 5th, when the news of the Declaration of Independence reached there. The troops were assembled under the direction of the Committee of Safety, and a picture of King George was procured. The drummer bore it before the President, and after a march around the square, a circle was formed about a fire which had been prepared and the picture was cast into the flames, the President pronouncing these words: "Compelled by strong necessity, thus we destroy even the shadow of that king who refused to reign over a free people." On July 20th the regiment was ordered to Philadelphia, where it attracted much commendation. Abram Clark, writing on August 6th, to Colonel Dayton, says:

"I dare say you have a good regiment and hear their commendation with pleasure, but had you seen a regiment that went near two weeks ago to New York, raised in Maryland, and another paraded this day in the State House yard, from the Delaware government, you would have altered your opinion; they were all shirtmen, mostly of an age and size. The two battalions above-mentioned were the finest I ever saw."

On August 7th Congress directed that the regiment be equipped with arms lately imported, and then report to General Washington at Amboy, N. J., where they were brigaded with four Pennsylvania regiments and Smallwood's Maryland regiment, under command of Brigadier-General Lord Stirling.

In the mean time the seat of war had been transferred to New York, which city the British general, Sir William Howe, determined to take, and for the purpose landed over twenty thousand troops on Long Island. Washington, who, with the main

army, was fortified on New York Island, placed General Putnam in command of about eight thousand men posted in Brooklyn. Generals Sullivan and Sterling were under Putnam, the Delaware and Maryland troops being in Stirling's brigade. Early on the 27th of August, General Putnam notified General Stirling that the enemy were approaching the Gowanus road along Martense Lane,¹ and ordered him to take three regiments, "advance beyond the line and repulse the enemy." Hastily gathering Haslet's Delaware battalion, Major Macdonough commanding,² Smallwood's Maryland and Atlee's Pennsylvania regiments. Stirling advanced upon the left wing of Lord Howe's army, consisting of two brigades, one Highland regiment with several pieces of artillery, and two companies of New York Tories, the whole under the command of General Grant.

About eleven o'clock Howe reinforced Grant with two thousand men, whereupon Stirling ordered forward his Delaware reserves, when a sharp contest ensued. At the same time another detachment of the British pushed forward through a wood from the hills near the Porte road, and encountered the left of the Delaware battalion near what is now Tenth Street and Fourth Avenue, Brooklyn. Sullivan's command soon melted away before the fierceness of the British assault, and the contest upon the left of the American line was no longer a battle, but a rout and massacre.³ On all sides the enemy were closing around the feeble band commanded by Stirling, with the intention to crush it, as they had done Sullivan's flying army. The situation was terrible, but Stirling did not lose his self-possession. Cornwallis had taken possession of the Cortelyou house, in the rear of Stirling, and the latter saw if he could not drive him back, or at least hold him where he was, his whole command would suffer death or capture. He resolved upon a costly sacrifice to save his retreating columns, which were now toiling through

the salt marshes and across the deep tide-water creek in their rear. The remnant of Sullivan's forces were endeavoring to escape through the morasses and thickets, and dense masses were crowding the dam at Frecke's Mill. Many were shot while struggling through the mud and water, and some were drowned.

General Stirling selected five companies of the Maryland regiment, commanded by Major Mordecai Gist, to hold Cornwallis in check while the rest made good their escape. At the head of this devoted band marched their general, to whom even victory had now become less important than an honorable death, which might purchase the safe retreat of his army. These brave men "flew at the enemy with unparalleled bravery. Washington, who watched the scene from the lines, wrung his hands, as he exclaimed, 'My God! what brave men must I this day lose!'" When broken, they rallied and charged the enemy again and again, until the Delaware and the rest of the Maryland regiment had made their escape by wading a marshy creek, in which several were drowned.

Stirling, with the remains of the five companies who had sacrificed themselves for the safety of the rest, were taken prisoners. But their courage had checked the pursuit, and the army was saved.

This defeat made it necessary for the Americans to withdraw from Long Island. To General Mifflin, commanding the Pennsylvania battalions of Shee and Magaw and the shattered remnants of Haslet's and Smallwood's battalions, was confided the task of covering the retreat. "Torn with the shock of battle, and enfeebled by the terrible and exhausting exertions of its struggle, these brave men still kept the post of peril, and on their courage and devotion the commander-in-chief depended for covering the retreat." Under pretense of attacking the enemy, they remained under arms all night, marching and counter-marching, while their comrades were being safely conveyed across the river. On their courage and devotion depended the fate of the army, and perhaps of the cause of American liberty. As daylight dawned the great task was accomplished, as the last of Washington's army crossed from the beach between Fulton and Main Streets. The enemy did not discover the retreat until the last detachment was half-way across East River and out of reach.

Colonel Haslet, in a letter to Thomas Rodney, dated "Camp at Mount Washington, October 4, 1776," gives a very good report of the part taken by the Delaware regiment in the battle of Long Island. He says:

"On Sunday, the 25th of August last, my regiment was ordered to Long Island in Lord Stirling's brigade, composed mostly of the southern troops, by whom we were much caressed and highly complimented on our appearance and dexterity in the military exercises and manœuvres. On Tuesday, the 27th, his brigade, consisting of five regiments, and a

¹ Now forming the southern boundary of Greenwood Cemetery, Brooklyn.

² Colonel Haslet and Lieutenant-Colonel Bedford, of the Delaware battalion, and Colonel Smallwood and Lieutenant-Colonel Warr, of the Maryland regiment, did not participate in the battle of Long Island, as they were ordered by General Washington to sit on the court-martial, in New York, for the trial of Lieutenant-Colonel Zedwitz. In this engagement the Delaware regiment was commanded by Major Macdonough.

³ A letter from an officer in Frazier's British battalion says—"The Hessians and our brave Highlanders gave no quarter, and it was a fine sight to see with what alacrity they despatched the rebels with their bayonets, after we had surrounded them so that they could not resist. We took good care to tell the Hessians that the rebels had resolved to give no quarter to them in particular, which made them fight with desperation, and put all to death who fell into their hands."—*American Archives*, 5th Series I., p. 1259.

Colonel Von Heeringen, a Hessian officer in command, says: "The English soldiers did not give much quarter, and constantly excited our men to do the same."—*Elking's Auxiliaries in America*.

An officer of high rank in the British army says, in a letter: "The Americans fought manfully, and, to do them justice, could not be broken till they were outnumbered, and taken in flank, front and rear."

"We were greatly shocked at the massacre made by the Hessians and Highlanders, after victory was decided."

few of Sullivan's, not exceeding 5000 men, were ordered to advance beyond the lines and repulse the enemy. To oppose this small band were 17,000 regulars, much better furnished with field-pieces and every other military appointment than we are. Several of the regiments were broken and dispersed at the first onset. The Delawares and Marylanders stood firm to the last, and after a variety of skirmishing the Delawares drew up on the side of a hill and stood upwards of four hours with a firm, determined countenance in close array, their colors flying, the enemy's artillery playing on them all the while, not daring to advance and attack them, though six times their number and nearly surrounding them. Nor did they think of quitting their station till an express order from the General commanded their retreat through a marsh and over a creek, the only opening left, which they effected in good order, with the loss of one man drowned in passing. The Delawares alone had the honour of bringing off 23 prisoners. . . . Twenty-seven of the Delawares next morning were missing. In that number were Lieutenants Stewart and Harney,¹ the latter a prisoner, the other not yet heard of. Major Macdonough was wounded in the knee; a ball passed through the sleeve of his coat without wounding his arm or his body. Lieutenant Anderson had a ball lodged in his throat; Lieutenant Corn a ball still in his back; they are recovered. The standard was torn with shot in Ensign Stephens' hands, who is now in his element and a most excellent officer. . . . The Delaware battalion, officers and men, are respected throughout the army.

After this battle the regiment went into camp at King's Bridge, Westchester County, New York. The weekly return of Washington's forces at Harlem Heights, October 5, 1776, shows present for Colonel Haslet's command a lieutenant-colonel, a major, seven captains, six first lieutenants, five second lieutenants, seven ensigns, the adjutant, the surgeon and his mate, twenty-two sergeants, twelve drummers and fifers, three hundred and eighty-five rank and file fit for duty, six sick present, one-hundred and forty-nine sick absent, twenty-nine in detached service and none in furlough, making a total of five hundred and sixty-nine.

Haslet shortly returned to camp, and on October 21st, with his regiment and some other details, made a descent upon Rogers' corps of Tories at Mamaroneck, capturing thirty-six prisoners and sixty muskets. He wrote as follows to General Rodney of his victory:

"On Monday night Lord Stirling ordered me with 750 men to attack the enemy's outposts ten miles from this place, at the village of Mamaroneck, which was done and their guards forced. We brought in thirty-six prisoners, a pair of colors, sixty stand of arms and a variety of plunder besides. The party we fell in with was Colonel Rogers', the late worthless major. On the first fire he skulked off in the dark. His lieutenant and a number of others were left dead on the spot. Had not our guards deserted us on the first onset he and his whole party must have been taken. On our side three or four were left dead and about fifteen wounded; among the latter is Major Green, of the Second Virginia Regiment, wounded in the shoulder, and Captain Pope, who acted as major and behaved with great bravery, wounded in his leg; both likely to recover. As this was the first effort of the kind and a plan of his Lordship's, he was so highly pleased with our success that he thanked us publicly on the parade."

On October the 28th the battle of Chatterton's Hill took place, and again the Delaware men were called into the thick of the fight by the orders of General Washington. Haslet's report of the reverse of the Americans on this occasion, made to Rodney, bears hard upon the Pennsylvania and New York militia. He wrote:

"I received his Excellency's orders to take possession of the hill (Chatterton's Hill) beyond our lines and the command of the militia regiments there posted, which was done. We had not been many minutes on the ground when the cannonade began, and the second shot wounded

a militiaman in the thigh, upon which the whole regiment broke and fled immediately and were not rallied without much difficulty. Soon after General McDougall's brigade took post behind us. Some of our officers expressed much apprehension from the fire of our friends so posted. On my application to the general he ordered us to the right, formed his own brigade on the left and ordered Brooks' Massachusetts Militia still farther to the right, behind a stone fence.

"The troops being thus disposed, I went up to the top of the hill in front of our troops, accompanied by Major McDonough, to reconnoitre the enemy. I plainly perceived them marching to the White Plains in eight columns and stop in the wheat field a considerable time. I saw their general officers on horseback assemble in council and soon their whole body fall about and in one continued column march to the hill opposite to our right. I then applied to General McDougall again to vary his position and advised him to order my regiment farther onward and replace it with Colonel Smallwood's or order the colonel forward, as there was no dependence to be placed on the militia. The latter measure was adopted. On my seeing the enemy's march to the creek begun in a column of their main body, and urging the necessity of bringing our field pieces immediately forward to bear upon them, the general ordered one and that so poorly appointed that myself was forced to assist in dragging it along the rear of the regiment. While so employed a cannon ball struck the carriage and scattered the shot about, a wad of tow blazing in the middle. The artillerymen fled. One alone was prevailed upon to trudge out the blaze and collect the shot. The few that returned made not more than two discharges when they retreated with the field-piece. At this time the Maryland Battalion was warmly engaged and the enemy ascending the hill. The cannonade from 12 or 15 pieces well served kept up a continual peal of reiterated thunder. The militia regiment behind the fence fled in confusion without more than a random, scattering fire. Colonel Smallwood, in a quarter of an hour afterwards, gave up arms. The rest of General McDougall's brigade never came up to the scene of action. Part of the first three Delaware companies also retreated in disorder, but not till after several were wounded and killed. The left of the regiment took post behind a fence on the top of the hill with most of the officers, and twice repulsed the Light Troops and Horse of the enemy; but seeing ourselves deserted by all hands and the continued column of the enemy advancing, we also retired. Covering the retreat of our party and forming at the foot of the hill, we marched into camp in the rear of the body sent to reinforce us."

The general army return of Nov. 3d, 1776, showed Colonel Haslet's to have fit for duty 28 commissioned and non-commissioned officers and 273 rank and file; 254 men were sick and 21 were detailed on special duty. Washington was compelled to retreat through New Jersey to the banks of the Delaware, and when Haslet's regiment was in camp there on December 22d the whole number present and fit for duty was 15 officers and 92 men. Much of this depletion was due to the fact that a large number of its officers, as well as of the rank and file, had returned home to enlist in a new regiment which was being organized, under a law of Continental Congress, for service during the war, and under conditions offering better pay and regularity of promotion. With less than one-hundred men Haslet took part in the battle of Trenton on Christmas day, 1776, but there are no records of the performance of the command in that affair. Its last service was at the battle of Princeton, January 2, 1777, in which Colonel Haslet was killed while leading his handful of men gallantly into action. They were then in Mercer's brigade, which formed the left wing of Washington's army in the proposed movement upon New Brunswick. They had reached Stony Brook at sunrise and were marching along the Quaker road when they came upon Mawhood's British regiment. In the fight that immediately ensued Haslet was shot through the head. Lieutenant-Colonel Bedford was at the time on Washington's staff, and

¹ The revised returns showed that Stewart and Harney were both killed.

Major Macdonough¹ carried the regiment through the remainder of the engagement, after which it was disbanded. The next military organization with which we have to deal is that of the militia for service in the "Flying Camp," which was made up in the autumn of 1776 to protect the shores of the Delaware and Chesapeake Bays while Washington was occupied in the defense of New Jersey. It was proposed that ten thousand men should be enrolled for this purpose, to serve only until the end of the year, and the call from Congress was received by the Delaware Convention in September. On the 26th of that month President Read informed President Hancock that a force of four hundred and eighty men, including officers, had been raised. "The want of arms," continued Mr. Read, "and the great extent of our frontiers on the river and bay of Delaware must apologize for the smallness of this aid—it is the widow's mite."

This little battalion was placed under the command of Colonel Samuel Patterson.² The other officers were George Latimer, lieutenant-colonel, and Captains William Moody, Joseph Caldwell, Thomas Kean, James Dunn, Thomas Skillington, Matt. Manlove, John Woodgate and Nathaniel Mitchell. It was very difficult to obtain men to enter this command. John Clark, sheriff of New Castle County, met with the utmost discouragement in his effort to enroll a company. A paper has been preserved in which he set down the answers of sixteen men whom he approached on the subject, and is very pertinent in this connection:³

Names.	Answers.
Slator Clay,	Will not march.
Richard Janvier,	Will not march.
John Powell.	Ready and willing to march.
David Morton,	Same.
George Read,	Same.
Thomas Couch, Jr.,	Same.
Robert Wiley,	I'm damned if I march.
Edward Sweeney,	Family in distress.
James Wilson,	Hired one in his place.
John Booth, Jr.,	Substitute in Continental Army.
Joseph Tatlow,	Will not march.
Daniel Smith,	Son in his place.
James Faith,	Will not march.
William Hazlett,	I never will march.
Thomas Nokes,	I'm damned if I march.

¹ Major Thomas Macdonough was a physician at the village now called by his name in St. George's Hundred, New Castle County. After the battle of Princeton he retired to private life and the practice of his profession. He was the father of Commodore Thomas Macdonough, who in the War of 1812 defeated the British fleet at the battle of Lake Champlain.

² Patterson was a brigadier-general in the State militia and lived near Christiana, where he owned and operated the largest grist-mill in the colony. He was a rich man and a sound patriot, for on December, 1775, he addressed to the Delaware delegates in Congress this letter, which is given literally: "As our representatives in Congress, from some late vague information, I heard that gold was hard to be had in the city of Philadelphia. To answer valuable purposes, I am, and was always, willing to contribute my small mite to the times; I now will inform you, if you want, you can have one thousand pounds in gold; and will for exchange take the Congress bills as now by that authority circulating. If of service to the common cause, send for it and the exchange, as above. I should be glad my offers were of any service to the grand cause. Your answer shall be punctually obeyed by your most humble servant."

³ Mr. Whiteley's address, p. 20.

The upshot in this instance was that out of sixty-three men only twenty-two proffered themselves ready and willing to march. Colonel Patterson's letters to George Read are a little more than a prolonged growl about his troops. When he got them to Philadelphia they found that the Pennsylvanians had been paid a small bounty to enlist, and nearly three hundred of the four hundred and eighty mutinied and refused to do duty unless they were equally favored.⁴ Patterson was a man of nerve and determination, and he brought them to terms by summoning the Continental infantry to disarm and arrest them. This was in the second week of September, 1776, and the Delawareans were to be sent over into New Jersey. "I at last," says Patterson, writing on September 19th, "got them down to the wharf, fixed bayonets at the head of it and sent them off. Captain Woodgate's arms not being done, I kept his company to go with me, but this morning I learned, to my astonishment, that his whole company, save eleven men, had deserted during the night." He added: "I shall give you a small opinion on battalion affairs. If ever you order one other, never sacrifice liberty to licentiousness, by leaving the officers to be chosen as mine were. Had I known the men in general, I would not have went with them. Some few excessive good; others, perhaps, another day may be brave, not at present. In my opinion, they had better have staid at home."

The command went to New Brunswick and then on to Amboy, and by October, Patterson had instilled a little discipline into them. In his letter of October 4th he appears in better humor, except with the Kent and Sussex men. He had then four hundred and sixty-one men, and wrote about them: "If ever I come campaigning again, I should never be for bringing up the men from below. They are not fit for *fatigue*, have no *constitutions* and are *always dissatisfied*. Almost fifty or sixty of them every day sick and unfit for duty, and fond of desertion, as you have seen at Philadelphia."⁵

This severe judgment he mollified a good deal by adding in a postscript that "Since they left Philadelphia the Battalion is sorry for their misbehavior. It was owing to a rascal telling them they were fools to go without their bounty."

A portion of the Delaware division of the Flying Camp was ordered back to Philadelphia preceding Washington's movement on Trenton, and formed a part of General Putnam's command, which was directed to co-operate on December 25th with Washington in the blow that was ex-

⁴ The Delaware men were eventually paid a bounty of six dollars each by act of the Legislature, February 10, 1777.

⁵ Patterson was unjust in his wholesale denunciations of the Kent and Sussex soldiers. Hazlett and Hall had many of them in their regiments, and they proved their gallantry on many a hard-fought battle-field.

pected to sweep the British from the Jerseys. The effort was a partial failure, because, while Washington succeeded in crossing the river at Trenton and defeated Rahl, Putnam and Cadwallader were so obstructed by the ice in the stream between Bristol and Philadelphia that their intention was nullified. Thomas Rodney had come up from Delaware and, after joining the troops as a volunteer at Philadelphia, was promoted to a sort of informal command, and was with them in this movement. Afterwards, when they were at Allentown, twelve miles from Princeton, on December 30th, he wrote his brother Caesar the narrative of this incident of the campaign:¹

"On the 24th inst., in the evening, we received orders to be at Shamony (Neshaminy) Ferry as soon as possible. We were there according to orders in two hours and met the riflemen, who were the first from Bristol; we were ordered from thence to Dunk's Ferry on the Delaware, and the whole army of about 2000 men followed as soon as the artillery got up. The three companies of Philadelphia infantry and mine were formed into a body under the command of Capt. Henry (myself second in command) which were embarked immediately to cover the landing of the other troops. We landed with great difficulty through the ice and formed on the ferry shore, about 200 yards from the river. It was as severe a night as I ever saw, and after two battalions were landed the storm increased so much, and the river was so full of ice, that it was impossible to get the artillery over, for we had to walk 100 yards on the ice to get on shore. Gen. Cadwallader, therefore, ordered the whole to retreat again, and we had to stand, at least, six hours under arms—first, to cover the landing and till all the rest had retreated again; and by this time the storm of wind, hail and rain and snow with the ice was so bad that some of the infantry could not get back till next day. This design was to have surprised the enemy at Black Horse and Mount Holly at the same that Washington surprised them at Trenton, and had we succeeded in getting over we should have finished all our troubles. . . . The next night I received orders to be in Bristol before day; we were there accordingly, and about 9 o'clock began to embark one mile above Bristol, and about 3 o'clock in the afternoon got all our troops and artillery over, consisting of about 3000 men, and began our march to Burlington, the infantry, flanked by the riflemen, making the advanced guard. We got there about 9 o'clock and took possession of the town, but found the enemy had made precipitate retreat the day before, had as the weather was, in a great panic. The whole infantry and riflemen were then ordered to set out that night and make a forced march to Bordentown (which was about 11 miles), which they did and took possession of the town about 9 o'clock with a large quantity of the enemy's stores, which they had not time to carry off. We stayed there until the army came up; and the general, finding the enemy were but a few miles ahead, ordered the infantry to proceed to a town called Criswick's, four miles from Bordentown, and they were followed by one of the Philadelphia and one of the New England battalions. We got there about 8 o'clock, and at about 10 o'clock after we were all in our quarters) were informed that the enemy's baggage was about 16 miles from us under a guard of 300 men. Some of the militia colonels applied to the infantry to make a forced march that night and overhaul them. We had then been on duty four nights and days, making forced marches, without six hours' sleep in the whole time; whereupon the infantry officers of all the companies unanimously declared it was madness to attempt, for that it would knock up all our brave men, not one of whom had yet gave out, but every one will suppose were much fatigued. They sent off a party who were fresh, but they knocked up before they got up with them and came back and met us at this town next morning. They surrounded a house where there was six Tories; took three of them; one got off; and one who ran and would not stop was shot dead. They gave him warning, first by calling and then shot two bullets over his head, but he still persisted; and the next two shot; one bullet went through his arm and one through his heart. The enemy have fled before us in the greatest panic that ever was known; we heard this moment that they have fled from Princeton and that they were hard pressed by Washington. Never were men in higher spirits than our whole army is; none are sick and all are determined to extirpate them from the Jersey, but I believe the enemy's fears will do it before we get up with them. The Hessians, from the General to the Common Soldier, curse and imprecate the war and swear that they were sent here to be slaughtered; that they never will leave New York again until they sail for Europe. Jersey will be the next Whiggish colony on the continent; the very Quakers declare for taking up arms. You cannot imagine the distress of this country. They have stripped everybody almost without distinction, even of all their clothes, and have

beat and abused men, women and children in the most cruel manner ever heard of. We have taken a number of prisoners in our route, Hessians and British, to the number of about twenty. It seems likely, through the blessing of Providence, that we shall retake Jersey again without the loss of a man, except one General Washington lost at Trenton. The enemy seem to be bending their way to Amboy with all speed, but I hope we shall come up with the Princeton baggage yet and also get a share of their large stores at Brunswick. I hope, if I live, to see the conquest of Jersey and set off home again in two weeks. Some of my men have complained a little, but not to any sick; they are all now well here."

The Flying Camp was mustered out at the appointed time. Meanwhile, the first Legislature elected under the new Constitution met at New Castle, Monday, October 28, 1776. The members of the Council for the several counties were as follows, with the votes they had received: New Castle—George Read, 280 votes; Nicholas Vandyke, 246 votes; Richard Cantwell, 244 votes. Kent—Thomas Collins, 645 votes; James Sykes, 642 votes; Richard Bassett, 639 votes. Sussex—John Wiltbank, 542 votes; William Polk, 541 votes; Daniel Dingee, 541 votes.

George Read was chosen Speaker, Slaton Clay clerk, and Robert Booth doorkeeper. Messrs. Sykes and Vandyke were appointed to act with Messrs. McKean, Cook and Robinson, of the House of Assembly, as a committee to devise a great seal of the State, and, on November 2d, brought in a report for a design of silver three inches in diameter, "and that there be engraven Britannia on the right side thereof and on the left, opposite to her, Liberty (in the usual shapes) with a label proceeding from Britannia to Liberty in these words: 'Go to America,' and that there be engraven on the top the shape of a book having these words therein, 'The Bill of Rights,' and at the bottom another book having these words therein, 'The system of Government,' and that there shall be an inscription round the same near the edge thereof, 'The Great Seal of the Delaware State,' with the figures 1776." Messrs. Sykes and McKean were selected to have the seal made, but on January, 16, 1777, they reported that they could procure no engraver to perform the work, and two days later the matter was settled by the adoption of a device embracing a sheaf of wheat, an ear of Indian corn and an ox in a shield with a river dividing the wheat and corn from the ox; the supporters to be an American soldier under arms on the right and a husbandman with a hoe in his hand on the left; that a ship be the crest and that the State inscription be placed round the edge. Pending the completion of this design, the seal of New Castle County was to be used as the great seal of the State.

Up to this time the plan of raising troops had been experimental and ignorant. Congress had learned that a genuine army could only be formed by long-term enlistments, and, therefore, on September 26th, it had resolved on the creation of eighty-eight battalions, or regiments, by which

¹ "American Archives," vol. iii, 5th series, pp. 1486-1489.

Delaware's quota was one battalion of eight hundred men, to serve during the war. The inducements held out were the small bounty of twenty dollars, in Continental money, to privates and non-commissioned officers, and one hundred acres of land to those who served throughout the war, or to their heirs if they were killed. It was also provided that, though the officers should be commissioned by Congress, their appointments were to be left to the several States, and each State must furnish arms, accoutrements and clothing. The resolutions of Congress were read in the Delaware Legislature October 30th, and a committee, embracing Messrs. Sykes, Vandyke, and Collins for the Council, and Robinson, Ridgely and McKean for the House, was appointed to confer upon the question. It was debated from November 2d until the 5th, when it was agreed that the battalion be raised; that a commissioner be appointed by each branch of the Legislature to visit the camps of Haslet's and Patterson's regiments and ascertain what number of officers and men would take service in the new command, preference in selecting the commissioned officers to be given to Haslet's officers, and the vacant places remaining to be tendered to the officers under Patterson. The commissioners were instructed to consult with General Washington regarding appointments and promotions, and could issue no commission without his approbation. The Council appointed as commissioner Thomas Collins, and the House chose Samuel West, who at once set off on their mission.

On November 6, 1776, the Council concurred with the House on the proposition to elect delegates to Congress, but declined to participate in the election of a Council of Safety unless the Legislature should adjourn before electing the President and Privy Council. On the next day the House replied that it did propose to so adjourn, whereupon the Council agreed to the scheme as a whole, and, on the 10th, the election resulted in the choice of George Read, John Dickinson and John Evans as members of Congress and the following Council of Safety, which had full power of action during the recess of the Legislature.

New Castle County—James Latimer, John McKinly, Abraham Robinson, John Lea, Nicholas Vandyke.

Kent County—Cæsar Rodney, James Sykes, Thomas Collins, John Baning, Richard Bassett.

Sussex County—David Hall, Jacob Moore, John Wiltbank, John Rodney, James Rench.

On November 9th the Legislature adjourned to January 6, 1777, after appropriating for the expenses of the session a little more than eighty-two pounds. When it re-assembled no business was done until January 15th, when the resolution setting apart February 27th as a day of fasting

and prayer was passed, and it was resolved to strictly enforce the prohibition against the exportation of bacon, salt beef, salt pork, soap, tallow and candles.¹ Messrs. Vandyke, Sykes, Cantwell and Wiltbank were appointed a committee to frame a bill for a better militia establishment than then existed, and it was ordered that two chains of fire-rafts be built for the defense of the Delaware, and that a large quantity of provisions, arms, powder and lead be bought for the use of the militia and the Continental troops in service within the State. It was, however, very difficult to find clothing for the troops, for one of the resolutions of this series directed the Speaker to inform the President of Congress "that the persons employed in Pennsylvania under the Congress to buy clothing for the army have purchased almost all of the articles of that kind which were to be had in this State, and therefore it is hoped that they will be pleased to give some direction for the speedy clothing of the Delaware Battalion, as a single company of them will not be able to march without new clothes."

The election of a President and other officers of the government was approaching, and as the Constitution presented no mode of taking the ballot, committees of the House and Council spent two weeks in elaborating a system. It provided that when the House and Council met in joint convention each member might propose a candidate for the Presidency, and all the names should be written out and left on the table for the consideration of members. After they had slept a night the joint convention would re-assemble the next day and proceed with the ballot. To elect a President required a majority of the votes of the members present, and in case of a tie, the deciding vote was to be cast by the Speaker of the Council. On the day of the election of President the nominations of the judges and the delegates in Congress would be made, and their election would take place on some future day. On February 12th, John McKinly was chosen President by 19 votes out of the 23 cast, and the nominations for judges and Congressmen were made. Further elections were deferred to the 21st, when the joint convention again met and all the offices were filled by the choice of these gentlemen.

Justices of the Supreme Court,—Richard McWilliams, Cæsar Rodney, James Sykes.

Judge of Admiralty,—Nicholas Vandyke.²

¹ Daniel Dingee was, at his own request, temporarily excused from attendance upon this session, because of the suspicion cast upon him by the testimony of Jacob Bennett, the seaman captured by the British frigate "Roebuck," who in his affidavit, already mentioned, stated that one of the Tories who came on board the ship after the fight with the American boats gave the name of Mr. Dingee. A committee of the Council investigated the affair and reported that Mr. Dingee's name had been falsely used, whereupon he was fully acquitted and requested to resume his seat in the Council.

² Messrs. Williams and Rodney declined to accept the offices and Mr. Sykes preferred to become clerk of the Kent County Court, and conse-

Justices of the Courts of Common Pleas and Orphans' Court: New Castle County,—John Jones, James Latimer, John Thompson, Abraham Robinson. Kent County,—Thomas Tilton, John Clark, Richard Smith, Thomas White. Sussex County, John Wiltbank, Wm. Polk, John Laws, Isaac Smith.

Military Treasurers,—Samuel Patterson, New Castle; John Baning, Kent; John Rodney, Sussex.

Commissioner of the Continental Loan Office, Samuel Patterson.

Nicholas Vandyke and James Sykes were delegates to Congress in place of Dickinson and Evans.

Fiscal legislation was one of the matters prominent at this session, and on February 22, 1777, an act was passed to issue fifteen thousand pounds in bills of credit of the State "to be let out on loan," and for striking the further sum of ten thousand pounds, to be used in the defense of the State, and providing a sinking fund. The act conferred upon the bills the compulsory legal-tender quality and provided the death penalty for counterfeiting the names of

who had been appointed Judges of Court, and John Baning took the seat of Mr. Sykes for Kent, who had also gone upon the bench. An act was passed making Dover the meeting-place of the future regular sessions of the Legislature, and measures were taken for completing the battalion of troops for the army.

On June 7th the Legislature adjourned until October, and during that long recess Delaware was the theatre of stirring events. The battalion of regulars was recruited, organized and placed under the command of Col. David Hall. He had in it many of the veterans of Haslet's command, who had left the latter in the autumn of 1776 to join Hall, who could offer the strongest attractions to men who had decided to fight the war out to the end. Of Haslet's officers, Captain David Hall became colonel of this new regiment; Captain Charles Pope, its lieutenant-colonel; Captain Joseph Vaughan, its major; Lieutenant John Patten, a captain; Lieutenant Robert Kirkwood, a captain; Lieutenant Anderson, a lieutenant; Ensign Peter Jacquett, a captain; Lieutenant Lear-

month, a captain; and Lieutenant James Moore, a captain. Thus nine officers from Haslet's regiment obtained appointments in Colonel David Hall's new regiment. These officers doubtless carried off a great many of their men. No wonder, therefore, that on the 3d of November, and on the 22d of December Haslet made such a poor show in his return of both officers and men.¹ He himself had evidently become disgusted and chagrined; there was found in his pocket when he was killed an order permitting him to return home to recruit for his regiment.

It was Hall's regiment that made the perpetual fame of the Delaware soldiers in the Revolution. The first company to join it was Captain John Patten's, which was mustered in Nov. 30th, but Kirk-

wood's followed in the next day. Then followed much delay in filling the ranks, and the command was not ready to march until the following spring. Muster-rolls of Patten's and Kirkwood's companies at the time of enlistment are extant, but there is no roster of the regiment except that which is dated in February, 1780. Patten's included these names:²

Captain, John Patten; Lieutenant, William McKennan; Ensign, Elijah Skillington; First Sergeant, William Maxwell; Second Sergeant, Archibald McBride; First Corporal, Henry Rowan; Second Corporal, David Young; Third Corporal, Dennis Dempsey; Privates, thirty-two.

Kirkwood's roll showed:

Captain, Robert Kirkwood; Lieutenant, Richard Wilds; Ensign,



FAC-SIMILE OF CONTINENTAL CURRENCY.

the official signers. On the same day a measure was passed making the Continental currency issued by authority of Congress a legal-tender, and punishing with death any counterfeiting of the currency, or of the Continental Loan Office certificates, or of the tickets of the public lottery. The Council elected as Privy Counsellors, Thomas Macdonough and George Latimer, and the Legislature adjourned to June 6th, but on May 1st was convoked in special session by President McKinly. John Jones and Samuel S. Sloss were seated as members for Sussex in place of Polk and Wiltbank,

quently, on June 5th, Wm. Killen, John Evans and John Cook were elected justices of the Supreme Court. Nicholas Vandyke declined the Admiralty judgeship, and on June 5th Caesar Rodney was chosen to fill the position.

¹ See preceding pages for Haslet's muster rolls on these dates.

² Mr. Whitely's address, pp. 23 to 31.

Griffith Jordan; Sergeants, Daniel Cochran, James Dougherty, Samuel Davis, Robert Hewes; Corporals, James Stenson, Moses Josh, James Lowery, Archibald McBride; and twenty-two privates.

The field and staff were:

Colonel, David Hall; Lieutenant-Colonel, Charles Pope; Major, Joseph Vaughan; Adjutant, George Purvis; Paymaster, Edward Roche; Quartermaster, Thomas Anderson; Surgeon, Reuben Gilder; Surgeon's Mate, John Platt.

In June Lord Howe advanced from Brunswick, but his retreat to Amboy and embarkation aboard his transports was soon known. What was his destination, — New England, the Hudson, the Delaware or the South? Washington was sorely puzzled to tell, and until it was known, no definite movements could be made. Every preparation was made along the Delaware to meet the enemy, and to get prompt and certain intelligence of the line on which he would advance. The committee for driving off cattle were increased, with orders to act upon the first appearance of the enemy. The shores of the Delaware and the chief roads from it westward were ordered to be surveyed as far south as Christiana Creek, and on the east bank to Salem, and all the topographical peculiarities of the ground to be carefully noted, swamps, natural obstacles, cover for marksmen, etc. Circulars were issued to wagon-masters to hold themselves ready to remove stores and provisions under the direction of the Committees of Safety. The outlook at the Delaware Capes was the centre of a painful interest at this time, and the feint of entering made by Howe's fleet, with the subsequent steady course southward, made things still more uncertain. Washington moved his army to the Delaware; it lay at Coryell's Ferry, Howell's Ferry and Trenton, and there waited. The march to Germantown one day was followed the next by a march back to Coryell's. It was merely marching to occupy time. The enemy's movements must be more developed before any movements of Washington could be made in one direction or the other.

On the 30th of July the enemy's fleet was seen at Cape Henlopen, and on the 31st Congress received a letter, dated the 30th, from Brigadier-General Caesar Rodney, at Dover, Delaware; and one of the same date from H. Fisher at Lewes, informing that body that the enemy's fleet had appeared at the mouth of the Delaware, about four miles from the light-house. Congress immediately took the subject under consideration, and believing the destination of the enemy to be Philadelphia, ordered all the provisions and stores to be removed from the city, and "*Resolved*, That the militia of the States of New Jersey, Pennsylvania, Delaware and Maryland be immediately called forth to repel any invasion of the enemy in said States." Congress also ordered all the live-stock to be driven off from the Delaware borders to the interior. Howe's plans were fully developed by the middle of August, when his war-ships and transports approached Elk River,

and the debarkation began at the head of the Chesapeake Bay.

On Sunday, August 24th, the main body of the Continental army, ten thousand strong, under Washington's personal command, marched into Philadelphia, and took the road to Chester and Wilmington. Washington immediately wrote to General Rodney, who commanded the Delaware militia: "For the present you can do no more than keep scouts and patrols towards the enemy to watch their motions, but as soon as you are joined by more force from this State (Pennsylvania), by the militia of the Eastern Shore of Maryland, and by Richardson's Maryland battalion, I would have you move as near the enemy as you can with safety."

In the mean time Washington ordered General Smallwood to proceed to Maryland and organize the militia on the Western Shore of the Chesapeake and Colonel M. Gist the militia on the Eastern Shore. Rodney's Delaware and Colonel Richardson's Maryland militia were afterwards ordered to co-operate with Smallwood, who was placed in command of the entire force to operate in the rear of the enemy. The Delaware militia, under Caesar Rodney, were hastily posted at the head of the Elk, where, upon the approach of the British, they pressed into service all the teams within reach and secured the greater part of the public stores, only leaving several thousand bushels of corn and oats, which fell into the hands of the enemy.

Washington reached Wilmington on the same day the British landed at the head of the Elk. His army passed through Wilmington and advanced to the high land west of it, where it encamped, some going as far as Newport. Washington took up his headquarters on Quaker Hill, in a house which for many years afterwards stood on the west side of West Street, midway between Third and Fourth. Here he issued the following order:

"To Brigadier-General Rodney:

"SIR—The Congress having called upon the state of Delaware for its proportion of Militia, to assist in defeating the hostile designs of the enemy in this quarter, you are, without loss of time, to use your utmost exertions towards accomplishing that necessary purpose, and for assembling and arranging in the best order possible, the quota assigned your state, at Middletown and in its neighborhood. When assembled they are to co-operate more immediately with the militia from the Eastern Shore of Maryland in watching the motions of the enemy, and taking every opportunity of harassing them, by alarming them frequently with light parties, beating up their Pickets, and intercepting, as often as it can be done, whatever parties they may send out to procure supplies of forage, horses, cattle, provisions and necessaries of every kind; which will equally serve to distress them and shelter the inhabitants from their depredations, and ought therefore to be an object of your peculiar care. The more effectually to distress them in this respect, I would have you to remove such grain, cattle, horses, stock and other articles of subsistence, that lie so contiguous to them, as to be in more immediate danger of falling into their hands, out of their reach, and to continue doing this as they continue their progress through the country. You will also withdraw every kind of carriage which might serve to facilitate the transportation of their baggage and stores to a distance from their camp, than which you can do nothing that will be more injurious to them, as there is nothing they are more in want of.

"One more precaution in this way I must recommend to you to use— which is, if there should be any Mills in their neighborhood, to take away the runners and have them removed out of their reach.—This will render the Mills useless to them and will be little or no detriment to the inhabitants, more especially to the well affected who it is probable will,

for the most part, quit their homes where they appear, and to whom they can be restored at a proper time.

"While you are attentive to annoying and distressing the enemy, you will not neglect any expedient necessary for your own security—for this purpose you will take posts the most advantageous and the least liable to surprise, you can find, and will station proper guards at every pass by which you are accessible, obliging them to observe the strictest vigilance and order. You will find scouting parties by day and patrols by night, going from post to post, and towards the enemy, extremely useful both to discover every thing, that is passing with them, and to guard yourself from any attempt to surprise you.

"If the enemy should march towards Philadelphia, as is expected, you will hang constantly upon their right flank and rear, and give them all the annoyance in your power, keeping yourself in such a situation as to be always ready to communicate and co-operate with this army.

When you arrive at the place of your destination you will inform me of it, and of your numbers and situation, from time to time; and you will make a point of giving me instant and certain advice of every occurrence of importance that comes to your knowledge.

"Apply to the Quarter Master and Commissaries of provisions and forage, and settle a plan with them for furnishing you duly with such supplies as you will have occasion for, in their respective departments.

"As General Maxwell will want persons well acquainted with the country to remain with him, in the capacity of guides, you will leave with him thirty or forty men, fit for the business, out of the battalions that are now advanced towards the enemy. These should be select men, who have a thorough knowledge of the country, intelligent and of known attachment and fidelity to the American cause.

"I need not urge it upon you how essential your utmost care and activity are upon this occasion. You are fully sensible of its importance, and that the season loudly calls for the greatest efforts of every friend to his country. We have no time to spare, and cannot be too soon prepared, as we have reason every moment to expect the enemy will prosecute their march towards the object they have in view.

"Given at Head Quarters, Wilmington, this 31st August, 1777.

"G. WASHINGTON."

General Armstrong with the Pennsylvania militia from Wilmington, and General Rodney with the Delaware militia, and Generals Greene and Weeden reconnoitered the country between Wilmington and the head of the Elk. Washington proceeded to the scene of operations and also made a personal reconnoissance before the enemy took up their line of march. On the 3d of September their lines extended from Glasgow, then called Aiken's or Aikentown, to Iron Hill. On that day a severe skirmish took place between them and the Delaware and Maryland militia near Cooch's Bridge. The Americans lost about forty in killed and wounded; the British loss is unknown. After this engagement the British burned Cooch's Mill near Iron Hill, and committed many other acts of wanton destruction of property. They removed the records of the Cecil County court-house and burned the building. "A writer of the period says the British captured all the records and public papers of New Castle County and every shilling of the public money, together with the fund belonging to the trustees of Newark Academy."

Howe¹ advanced from the head of Elk to Elk-

¹ To allay public alarm, and to insure immunity for his stragglers, General Howe on the 27th of August issued the following:

"Declaration to the inhabitants of Pennsylvania, the lower counties on the Delaware, and the counties on the Eastern Shore of Maryland:

"Sir William Howe, regretting the calamities to which many of his Majesty's faithful subjects are still exposed by the continuance of the rebellion; and no less desirous of protecting the innocent than determined to pursue with the rigors of war all those whom his Majesty's forces, in the course of their progress, may find in arms against the King; Doth hereby assure the peaceable inhabitants of the province of Pennsylvania, the lower counties on the Delaware, and the counties of Maryland on the eastern shore of Chesapeake Bay, that in order to remove any groundless apprehensions which may have been raised of their sufferings by depredations of the army under his command, he

ton, Maryland, whence he began to move on September 3d, while Washington was still in Wilmington. Howe had 17,000 picked men and Washington 11,000. The latter was in danger of being driven into the Delaware or down the peninsula, when Howe, on the date mentioned, marched by the left flank and sought to turn the American right and occupy the upper fords of the Brandywine River. It was only by extreme activity that Washington was able to break through this flanking strategy, and after several skirmishes along its banks, the two armies found themselves, on September 11th, on opposite sides of the Brandywine, the British planning to force the passage of the stream, the Americans seeking to hold the fords and attack the enemy wherever he tried to cross."

The Brandywine is a historic river, yet not much more than a mill-stream in its dimensions. Its source is a double stream, uniting in Chester County, Pa., seeking the Delaware lowlands and emptying into the Christiana. There were numerous fords, especially on the upper stream, with hills on either side. The main road from Delaware to Philadelphia crosses the Brandywine at Chadd's Ford; a mile and a half below was Pyle's Ford; two miles above was Brinton's Ford. Howe's army was massed at Kennett Square, several miles south of the Brandywine, on the road to Chadd's

hath issued the strictest orders to the troops for the preservation of regularity and good discipline; and has signified that the most exemplary punishment shall be inflicted upon those who shall dare to plunder the property or molest the persons of any of his majesty's well disposed subjects.

"Security and protection are likewise extended to all persons, inhabitants of the province and counties aforesaid, who (not guilty of having assumed legislative or judicial authority) may have acted illegally in subordinate stations, and conscious of their misconduct, been induced to leave their dwellings; Provided such persons do forthwith return and remain peaceably in their usual place of abode.

"Considering, moreover, that many officers and private men, now actually in arms against his majesty, may be willing to relinquish the part they have taken in this rebellion and return to their due allegiance,—

"Sir William Howe doth therefore promise a free and general pardon to all such officers and private men as shall voluntarily surrender themselves to any detachment of his majesty's forces, before the day on which it shall be notified that the said indulgence shall be discontinued.

"Given under my hand, at head-quarters of the army, the 27th of August, 1777.

"By his Excellency's command,

"ROBT. MCKENZIE, Secretary."

² Howe's movement on Philadelphia by the route through Maryland and Delaware was somewhat unaccountable except on the supposition that in the Delaware and Maryland counties and the lower district of Pennsylvania he would derive great aid from the Tories, and that even if the first movement on Philadelphia failed, it would be easy to cut off Washington from his magazines at Lancaster, and the supplies from the rich counties to the westward of that city. But Howe was disappointed in the feeling of the peninsular counties. Galloway, a Tory, who acted as a British guide, said, in his testimony before the House of Commons, in 1779: "At and about the head of Elk, a number of persons did desert their homes and carry off their effects, but not all, after Sir Wm. Howe had advanced into the country from thence about eight or ten miles, I don't believe that I saw, in the whole route of the army, from thence to Philadelphia, consisting of at least 70 miles, above ten, or at most fifteen, houses deserted. The inhabitants were found quietly at their homes, and to me there appeared every mark of pleasure at the troops arriving in the colony." Still the disaffection was rather passive than active. The inhabitants remained at home on the principle of peaceful non-interference, and the extent of their assistance to the British was to answer inquiries as the eligible lines of march and the vicinity of the enemy, and occasionally to furnish from their well-stocked farms and dairies supplies to the invaders.—*Life of Joseph Reed*, vol. i., p. 305.

Ford. Washington's army—Armstrong, with the Pennsylvania militia, held Pyle's Ford; Washington, with Wayne and Greene, held the centre; Weedon's and Muhlenberg's brigades, Greene's division, held the heights in the rear of Chadd's Ford as a reserve. On a hill at the ford was Proctor's artillery, sheltered by a rude redoubt and supported by Wayne's brigade. Maxwell's light infantry were in the advance, holding the south side of the ford and the approaches to it. On the right, connecting with Wayne and Greene and with pickets, videttes and light cavalry thrown out up-stream to the forks, was Sullivan's division and those of Stephen and Stirling, holding Brinton's Ford. Sullivan was charged to look to the security of that flank, but had not the means with which to do it, and, besides, was not competent to command the entire wing of an army.¹

He had only some light cavalry under Bland. Stirling was brave, but dull; Stephen was a superannuated veteran and dull besides. The country was disaffected in the extreme — full of Tories and Quakers—and while Howe, guided by Galloway, had all the intelligence he needed, Washington not only did not know of the enemy's movements, but seemed to be only partially acquainted with the lay of the land. He was very anxious for Howe to attack him at Chadd's Ford, confident that he would be able to defeat him there, and that was precisely what Howe did not intend to do.²

The relation of the battle of the Brandywine need be but brief. Although it was partially fought on Delaware soil, there exists no chronicle of the doings of Col. Hall's regiment in it. We do not even know to what brigade they were attached. Probably their officers described the action in letters and reports, but nobody took care to preserve the documents that at the present day would be invaluable. The official reports of the army mentioned only the brigades and did not specify the regiments which composed them. It is a conjecture that receives the color of probability that the Delawareans were with the Maryland troops in Sullivan's division and consequently shared in the defeat inflicted by Cornwallis upon Sullivan near Trumbull's and Jeffrey's Fords. Sullivan's dispositions were bad, in addition to his being surprised and flanked. At daybreak the column under Cornwallis moved along the Lancaster road, which for several miles ran

nearly parallel with the Brandywine. General Howe was with this division. Knyphausen and his command moved forward at nine o'clock. A dense fog enshrouded the country, and the scouting-parties of both armies often came in close contact before they were aware of their proximity. From behind the walls of the graveyard of the Kennett meeting-house, and also of houses, trees and clumps of bushes, parties of militia kept up an annoying fire upon the advancing enemy. Knyphausen, however, pushed forward toward Chadd's Ford. He sent a strong advance party to dislodge Maxwell. They met at about ten o'clock and a severe engagement ensued. Maxwell was driven back to the verge of the stream at the ford, where he was re-enforced. Turning upon his pursuers, he made a furious charge, the ranks of the enemy were thrown into confusion and fell back upon Knyphausen's main column. Unable to cope with Maxwell in open battle without bringing a larger force into action, Knyphausen sent a detachment through the woods to make an attack on his flank. Perceiving this movement, Maxwell retreated across the stream, leaving the whole west bank of the Brandywine in possession of the enemy. Knyphausen now brought forward his advance, and from the brow of the hill upon the west side of the stream he kept up a strong cannonade upon the Americans without attempting to cross. The fire was returned with spirit by Proctor's artillery. Knyphausen did not cross the Brandywine, because he was instructed by Howe to amuse the Americans with feigned efforts to make the passage of the ford until Cornwallis should cross above and gain the right and rear of the patriots. This strategy Cornwallis successfully accomplished, and when he did so he won the day by taking Sullivan in the flank and doubling his divisions one upon the other. Just as this movement was developing, Washington was preparing to attack Knyphausen in front, while Armstrong crossed below and Sullivan above. But Howe's flank movement was the more quickly executed. His columns pressed in between the American divisions and drove all before them and were rapidly gaining the main road, when the reserve, under Washington and Greene, came up and checked the enemy long enough to prevent a rout and cover the withdrawal of the army.³

Many records and traditions of the engagement

⁴The number of the killed and wounded is only conjectural. Washington was unable to make a return of the American loss on account of the confusion which followed the defeat, many of the militia companies being thinned by desertion. General Greene estimated the loss of the Americans in killed, wounded and prisoners at 1200, and Howe reported his loss at 90 killed, 488 wounded and 6 missing.

Detachments of the British army, many of whom were Hessians, after the battle entered Wilmington, bringing some of their wounded with them. The old Presbyterian Church on Market Street was used as a hospital, and many houses were demanded to be opened for the care of the wounded.

¹ Scharf's "History of Philadelphia," vol. i., page 347.

² "It will appear that the movement of General Howe was as brilliantly executed as it was eminently scientific and peculiar to his military habit."—Carriington's "Battles of the Revolution," page 373.

³ On the 10th of September the Delaware and Maryland delegates in Congress requested that body to remove General Sullivan and place the Delaware and Maryland troops "under the command of some other major-general." Upon the ayes and nays being called, it was decided in the negative—New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Virginia, North Carolina and South Carolina voting "no," and Maryland and Delaware voting "aye." Georgia was divided.

survive in the Wilmington and Brandywine region. The hardest fighting occurred between the Birmingham meeting-house and the residences then occupied by Mrs. James Davis and Mrs. Jones. Many were killed near the meeting-house, which was situated about half-way between the Brandywine River and the Wilmington road. General Howe used it as a hospital, and several officers who died there were buried in the adjacent graveyard. Lafayette was shot through the leg after he had leaped from his horse, and, sword in hand, was endeavoring to rally the flying Americans. His aide, Gimat, helped him back to his saddle, and he rode to the rear, where his wound was dressed. On the morning of the battle Washington took his breakfast at the mansion of James Brindley, on the Wilmington side of the river, walking the floor in deep thought or standing with his cup of coffee in his hand, eating little and soon hastening on to Chadd's Ford.¹

Washington's headquarters were at the house of Benjamin Ring, where Lafayette lodged with him the night before the battle, although the Frenchman's headquarters had previously been fixed at the residence of Benjamin Gilpin. Tradition says that Thomas Cheyney, a Delaware Whig, whose descendants still reside in Wilmington, gave Washington the first intelligence of the approach of the enemy. He was riding out alone and reconnoitering and came suddenly upon the British. They fired upon him, but he escaped to the quarters of Washington with his news. Cheyney was an active spy while the American army was in the vicinity of the Delaware and often suffered much from the Tories.

According to Hilliard d'Auberteuil, who published at Paris in 1782 his "*Essais Historiques et Politiques sur la Revolution de l'Amerique*," a romantic incident occurred at the home of Wm. Harvey, upon the battle-field. Harvey's young and handsome daughter Molly had for a lover a young American soldier named Seymour, whom her father had discountenanced because of his poverty. Seymour commanded a company at Brandywine, and after the battle was granted a brief leave of absence. Repairing to the house of his sweetheart, he found that the opposition of Harvey to their marriage had been overcome by his gallantry as a soldier and his promotion. The marriage immediately took place, but while a hastily improvised wedding feast was taking place two Hessian soldiers scouting in the neighborhood came upon the scene and endeavored to make a prisoner of Capt. Seymour. He resisted, and the bride, in rushing between him and the soldiers with whom he was struggling, was thrust through by a bayonet

and killed. D'Auberteuil professed to have received this story from companions of Lafayette.

General Howe remained in camp on the Brandywine, and on the evening after the battle sent a detachment of troops to Wilmington to seize President John McKinly and secure such plunder as might fall in their way. They took the President from his bed at dead of night, and seizing a sloop that lay in the stream, loaded it with valuables stolen from the people, a large quantity of public and private money, many of the public and private records and all the papers and certificates of the loan and treasury offices. With these rich prizes the marauders returned to camp, but on the 12th and 13th Wilmington was occupied in force by the British, while the men-of-war "Roebuck" and "Liverpool" laid opposite the town. Many of the British wounded had been brought into Wilmington, and the people at least knew that they were safe from bombardment so long as any of their houses were turned into British hospitals. The two armies confronted each other on the 16th near Warren tavern, twenty-three miles from Philadelphia, and Congress, taking alarm from the near approach, on the 18th adjourned from Philadelphia to Lancaster, where it assembled on the 27th, but after three days adjourned to meet at York, Oct. 1st. On Sept. 20th Wayne was defeated at Paoli and five days later the British took possession of Philadelphia, while at the same time the whole British fleet, under command of Admiral Howe, appeared in the Delaware. There were no defenses of the river except the double set of *chevaux-de-frise*—one just below the mouth of the Schuylkill and protected by Fort Mercer, at Red Bank, on the Jersey shore, and one at Fort Mifflin, on Mud Island. The American flotilla consisted of the sloops-of-war "Delaware," "Montgomery" and "Fly" and a number of armed boats, all under the command of Commodore Hazlewood. On September 27th this fleet engaged the British batteries and was beaten off with the loss of the "Delaware." On October 2d, a party of the British crossing the river at Chester, the garrison at Billingsport spiked their guns and hastily fled. A panic seemed to prevail all along the river; the militia who were to defend Red Bank (afterwards called Fort Mercer) disappeared, and those of New Jersey refused to do duty, while from the forts and flotilla there were numerous desertions. Washington having received intelligence that General Howe had detached a part of his force for the purpose of reducing Billingsport and the forts on the Delaware, called a council of war, the result of which was the decision to attack the enemy in and around Germantown. That battle was fought on October 4th and ended in the defeat of the Americans, although in the early part of the day

¹ Mrs. Elizabeth Montgomery's "Ruminations of Wilmington," page 62.

they had victory within their grasp. The Delaware battalion was engaged in the battle of Germantown, and lost a great number of its men in killed and wounded. Col. Hall was so severely wounded that he was never able to take the field again. Capt. Allen McLane, who commanded an independent company of light cavalry, piloted two regiments that struck the British at Mount Airy, on the Philadelphia road, and drove in the pickets there.

The Delaware regiment remained under Washington, who quickly took position at White Marsh, within fourteen miles of Philadelphia. Howe finding it difficult to feed his army in the beleaguered city, determined to open a passage for his fleet up the Delaware. On Oct. 22d Count Donop and his Hessians assaulted Fort Mercer, but were repulsed and he was killed. Fort Mifflin, on the Pennsylvania shore, was bombarded by the ships-of-war "Augusta," "Roebuck," "Merlin" and several others, which had broken through the obstructions in the channel. These three of the British vessels grounded, and the morning of Oct. 23d disclosed their perilous position. Commodore Hazlewood advanced to the attack with twelve galleys and two floating batteries. A hot engagement ensued, during which the "Augusta" was set on fire and blown up and the "Merlin" was burned by her own crew. Undaunted by the failure of this attack, Gen. Howe built shore batteries which commanded Fort Mifflin,¹ and on Nov. 10th renewed the assault from them and from his fleet. On the 16th the Americans were compelled to evacuate the fort, and Fort Mercer was also abandoned, thus completely opening the river to the British. Commodore Hazlewood succeeded in sending twenty-five galleys and the "Province" sloop up the Delaware past Philadelphia to a place of temporary safety, but the other American vessels were driven on shore and abandoned, and most of them were burned at Gloucester Point. The British were masters of the river and bay from Philadelphia to the Atlantic.

The Delaware Legislature met at Dover Oct. 20th with Thomas McKean, Speaker of the House of Assembly, acting as President of the State in the absence of Mr. McKinly, who was still held prisoner by the British. George Read was elected Speaker of the Council. The presence of the enemy in the State had deterred many members from attending the session, and a memorial from the freeholders of Sussex County complained that on Oct. 1st they were prevented by an armed force from holding their election. On Oct. 29th it was resolved to raise six hundred militia for the defense of the State, to be paid by a draft of

five thousand pounds upon the loan office of Kent County. By the signatures appended to these resolutions it appears that of the Council there were present only George Read, Nicholas Vandyke, Thomas Collins, John Banning, John Jones and Peter Hyatt; and of the House, Richard Lockwood, Samuel West, Jehu Davis, John Clayton, Wm. Molleston, George Craighead, Robert Armstrong, Samuel Patterson, James Black, Wm. Clark, Isaac Lewis, Robert Bryan and Jacob Stout.

On Dec. 2d the Legislature met again, and on the 17th elected Cæsar Rodney, Nicholas Vandyke and Thomas McKean delegates to Congress for the ensuing year. A bill was passed to borrow from Vincent Loockerman, seven hundred and fifty pounds to purchase clothing for the Delaware regiment, then under the command of Lieut.-Colonel Charles Pope at Valley Forge, with Washington's starving and destitute army.

On Dec. 19th General Sullivan was relieved of the command of his division, composed of the two Maryland brigades, then in camp at Valley Forge, and General Smallwood placed in command, with orders to proceed to Wilmington and put "the place in the best posture of defense." He was directed by Washington not to "let any neglect or deficiency on his part impede" his operations, and was "vested with full power to seize and take (passing receipts) such articles" as were wanted for the public service. He was also instructed "to keep officers and men to their duty and to avoid furloughs except in cases of absolute necessity," and was to use his utmost endeavors to collect all stragglers from both of his brigades and to get the men clothed in the most comfortable manner.

On the reassembling of the Legislature in February, 1778, measures were taken to reinforce Smallwood's position at Wilmington² and to bring the regular battalion up to its proper complement of numbers. To accomplish this, four hundred and twenty men were needed, and it was resolved to pay each recruit \$45 and to allow an officer \$35 for every man he might enlist; the money, \$40,000, was to be borrowed from Congress or from any individuals who might be willing to lend it.³ At the March session the Legislature passed a bill providing against desertion and the harboring of deserters with heavy fines and long imprisonment. Mr. McKinly being still in the hands of the British and Mr. Read requesting to be relieved of the duties of the executive office, Cæsar Rodney was, on March 31st, elected President for three years, receiving twenty votes out of the twenty-four

² While stationed at Wilmington in April, 1778, General Smallwood suppressed an insurrection of Tories at Jordan's Island, about ten miles from Dover.

³ In June, 1780, the allowance to the recruiting officer for each soldier was increased to one hundred and ninety dollars, and the soldiers' bounty to two hundred dollars in addition to the two hundred dollars allowed by Congress.

¹ In the assault on Fort Mifflin Captain Hazzard, of Delaware, was wounded.

cast in the joint convention, and Thomas Rodney was chosen judge of the Admiralty Court in his place. The President was authorized to raise a company of troops in each county to guard the Delaware shores and capture the Tories who were engaged in trade with the enemy. A long controversy ensued between the House of Assembly and the Council on a proposition emanating from the former to demand the resignations of Wm. Killen and John Cook as justices of the Supreme Court, on the ostensible ground that they both resided in the same county, but really because they were suspected of disloyalty. The Council refused to assent to their removal in this manner, claiming that under the Constitution of the States they were entitled to impeachment and trial. On May 16th the bill for creating a militia establishment was passed, and in compliance with its provisions George Evans was chosen lieutenant, and Henry Darby and Samuel Smith sub-lieutenants for New Castle County; Samuel West, lieutenant, and Francis Manny and Benjamin Coombs sub-lieutenants for Kent; and Henry Neill, lieutenant, and Nathaniel Waples and Charles Moore sub-lieutenants for Sussex. Another measure of importance adopted was that "for the further security of the State" which required all citizens to take the oath of fidelity to the Federal and State government and imposed the duty of bearing arms upon all except members of the Society of Friends, who were, however, compelled to pay an equivalent for their personal service. A third act provided severe penalties for dealing with the British or furnishing them with supplies, and was accompanied by an act of amnesty to all previously disloyal persons who should consent to take the test oath. On June 20th, Wm. Killen was elected chief justice of the Supreme Court, David Finney a justice in the place of John Cook, and John Jones, the third justice; Killen and Cook having resigned in accordance with the request of the House of Assembly. Thomas Rodney was made chief justice of the Kent County Court, and George Craighead was elected commissary general of prisoners.

Strengthened by the recruiting measures taken by the Legislature, the Delaware regiment, now under command of Lieutenant-Colonel Charles Pope,¹ was stronger in the spring of 1778 than it had been at any other period since its formation. It had shared in the rigid training enforced at Valley Forge by that veteran martinet, Baron Steuben, and out of a special loan of \$75,000 made by the State, had received a good supply of arms and clothing. On May 18th it was placed in the corps of observation that, under Lafayette, ad-

vanced to Barren Hill, half-way between Valley Forge and Philadelphia. It was the first really independent command of Lafayette as a major-general, and the trust reposed in him largely grew out of the fact that on May 7th news had been received of the armed alliance formed between France and the United States. Capt. Allen McLane's independent corps of Delaware light cavalry was posted near the Ridge road, in company with fifty Indian scouts, and threw pickets out farther into the forest. On May 19th five thousand British troops were ordered to surprise the camp at Barren Hill, but timely warning of their advance was given by McLane's videttes and after a small skirmish Lafayette retired to Valley Forge. On June 18th the British began the evacuation of Philadelphia, withdrawing, of course, all the detachments that had harassed the country down to and across the Delaware line. Washington crossed the river at Coryell's Ferry, some forty miles above Philadelphia, and in the last week in June the Delaware regiment formed a part of the advanced corps commanded by Lafayette, that the commander-in-chief pushed in the direction of Monmouth, N. J., with orders to "take the first fair opportunity to attack the rear of the enemy." This was the division of the army which was in a few days turned over to the command of General Charles Lee, whose disobedience of Washington's orders at the battle of Monmouth, June 29th, prevented the execution of the latter's plans and permitted the escape of Sir Henry Clinton's army. The Delawareans participated in this engagement, and marched with Washington to his camp at White Plains on the Hudson. By his order of Sept. 27th, announcing the disposition of the army for the approaching period of winter-quarters, they were assigned with the Maryland and Pennsylvania troops to the camp at Middlebrook, N. J., near the general head-quarters. In December, Col. Pope, Capt. Patten and other officers of the regiment united in petitions and letters to the Legislature representing their lack of clothing and supplies, which, on Dec. 9th, were presented to the Council. Copies were also sent to John Dickinson, who, on Jan. 18, 1779, was elected a delegate to Congress for a year, the other two chosen being Nicholas Vandyke and Thomas McKean. On Jan. 21st the Legislature directed Mr. Craighead, the clothier-general, to deliver to each field-officer a full suit of clothes or £80 in money; and also to furnish each field-officer with additional clothing at the prices prevailing when they entered the service, the State to pay the difference between those figures and the present market price of the goods.

The Articles of Confederation and Perpetual Union adopted by Congress were submitted to the Delaware Council and House of Assembly in De-

¹ Charles Pope lived at Smyrna, where he kept a general merchandise store previous to entering the military service. He remained with the regiment until his resignation, which was accepted by the Legislature on December 28, 1779. Soon after the conclusion of the war he removed with his family to a new home in Georgia.

cember, 1778, but were not taken into consideration until the succeeding month, when a strong objection to some of their features was developed in the Council and embodied in resolutions which declared :—

"That this State think it necessary for the peace and safety of the States to be included in the Union, that a moderate extent of limits should be assigned for such of those States as claim to the Mississippi or South Sea, and that the United States, in Congress assembled, should and ought to have the power of fixing their western limits.

"That this State consider themselves justly entitled to a right, in common with the other members of the Union, to that extensive tract of country which lies to the westward of the frontiers of the United States, the property of which was not vested in or granted to individuals at the commencement of the present war; that the same hath been or may hereafter be gained from the King of Great Britain or the native Indians by the blood and treasure of all, and ought, therefore, to be a common estate, to be granted out on terms beneficial to the United States.

"That the courts of law established within this State are competent for the purpose of determining all controversies concerning the private right of soil claimed within the same, and that they now and at all times hereafter, ought to have cognizance of all such controversies; that the indeterminate provision proposed in the ninth article of the Confederation for deciding upon controversies that may arise about some of those private rights of soil, tends to take away such cognizance and is contrary to the Declaration of Rights of this State, and, therefore, ought to receive an alteration."

Notwithstanding these objections to these Articles of Confederation which seemed to place no limit upon the westward and southern extension of the then frontier States, while the seaboard members of the Union were already confined to inelastic boundaries, and the further objection of an invasion of State jurisdiction over internal questions, the Council satisfied itself with the quoted protest and at the same time authorized its delegates in Congress to ratify the Confederation, "In firm reliance that the candor and justice of the several states will in due time, as far as possible, remove the objectionable parts thereof." The urgency of tightening the bond of union between the States, which Washington had forcibly pressed upon Congress and which was set forth in its resolutions, was palpable to the statesmen of Delaware, and with patriotic self-abnegation they waived the immediate interests of their own people for the general benefit of the American cause.

On Jan. 25, 1779, President Rodney transmitted to the Assembly the request of General Washington for authority to quarter Pulaski's legion of cavalry within the State, and on Feb. 1st the necessary legislation was passed. It was recruited quite largely while stationed in Delaware. Money was still wanted to procure clothing for the troops in the field, and it was ordered that twelve thousand dollars be appropriated from the fund derived from the sale of forfeited estates in New Castle County, and the action of Col. Pope in seizing cloths and linens from various fulling-mills was indorsed.

At the May session of the Legislature in this year an act of Congress, passed on the 16th of the preceding December, for annexing Capt. Allen McLane's company to the Delaware regiment was presented. Washington had already issued an order to the same effect, and Capt. McLane had

sent in a petition to the Legislature praying its sanction to such a disposition of his command. This assent was at once granted by resolution of June 1st, and thereafter the company lost its separate identity. It had become reduced to a skeleton force through hard service, its muster-rolls for March, April, May and June, 1779, showing that while it had nominally nine commissioned and non-commissioned officers, its rank and file numbered but twenty. These rolls embrace the following names :

Captain, Allen McLane, commissioned January 13, 1777; First Lieutenant, A. M. Dunn, commissioned January 13, 1777; Second Lieutenant, Wm. Jones, commissioned January 13, 1777, killed at Wyoming, April 17, 1779; First Sergeant, John Edenfield; Second Sergeant, John Hegan; Third Sergeant, George Rowan; Fourth Sergeant, Robert Farrell; First Corporal, Matthew Cusick; Second Corporal, John Vandergrift; Drummer, Philip Whelton; Fifer, Eleazer Crane.

Privates: James Burk, Lidford Berry, Edward Hines, Thomas Finu, Thomas Wells, John Howies, Wm. Stratton, Robert Soloway, Perry Scott, Charles McMunigill, Thomas Parker, Barret Alley, Francis Bilstone, Ezekiel Clark, Lazarus Carmedy, James Longo, Henry Harneyman, Moses McLane, Patrick Dagney and John Butcher.

Early in June, 1779, the Delaware regiment left Middlebrook and was transferred to the vicinity of Washington's new headquarters, New Windsor, the Commander-in-chief having quitted the Jerseys to take position at the entrance of the Highlands of the Hudson. On the 19th of July, Capt. McLane's company was detailed to the expedition under Col. Henry Lee that surprised and defeated the British at Paulus Hook, now the site of Jersey City. The command was made up of Capt. Levin Handy's two companies of the Fifth Maryland Regiment, three hundred Virginians and McLane's Delawareans. They formed at New Bridge, on the Hackensack River, on the afternoon of the 18th, and took up the line of march at five o'clock for Paulus Hook, twenty miles distant. The troops were divided into three columns and the British works were to be carried at the point of the bayonet. It was planned that the attack should be made shortly after midnight, but the progress of the Americans was so much delayed that it was after four o'clock on the morning of the 19th before they charged the fortifications. "We," wrote Capt. Handy in a private letter, "advanced with bayonets fixed, pans open, cocks fallen, to prevent any fire on our side; and believe me when I assure you we did not fire a musket." The assault was completely successful. The garrison, which consisted of a detachment of the Sixty-fourth British Regiment and a few Hessians, made a stubborn resistance, in the course of which fifty were killed by the American bayonets. About one hundred and sixty prisoners were taken, while Lee's loss was but twenty. By daylight he was on the way to the east side of the Hudson, making a march over mountains and through morasses and defiles, his rear threatened by a strong force of the enemy.

After the Paulus Hook affair Washington established his headquarters at West Point and re-

mained there till December, when the army went into winter-quarters. Throughout the summer much trouble existed in recruiting the regiment to its proper number of men. The Legislature strove diligently to fill the ranks. By an act passed June 3d it requested President Rodney to apply to General Washington to order three or more officers of the regiment into Delaware on recruiting service, and the President was authorized to appoint mustering officers in the State. A bounty of \$80, in addition to the \$200 given by Congress, was offered to each enlisted man, and each officer was promised \$100 for every man whom he could enlist that might pass the muster. The sum of \$36,000 was appropriated for the execution of these measures and the expenditure placed wholly in the hands of the President.¹

Before adjourning on June 7th the Legislature fixed the tax levy for the year at \$495,000. It reassembled at Dover on October 20th, and after continuing the embargo on the exportation of wheat, rye, flour, Indian corn, bread, beef, bacon, live stock, or any other provisions from the State except for the use of the army, added an amendment permitting the exportation of grain and flour on condition that the vessels in which they might be carried should return with imports to be sold to retailers and consumers within the State. This was a measure designed to provide the people of Delaware with such manufactured goods as they did not produce and encouraged such trade as was possible in a country in a condition of invasion.

The next session of the Legislature began at Wilmington, Nov. 29th, and on Dec. 14th the House of Assembly received a grievous complaint from the officers of the Delaware regiment, sent ten days previously from their camp on the Hudson, relative to the non-execution of the law to supply them with clothing and the "necessaries of life" contemplated by the laws of the previous June. The address and the signers were as follows:

"We, the Officers of the Delaware Regiment, do, in the most grateful manner, thank the Honorable, the House of Assembly, for the two generous Resolves they were pleased to pass in our favor. But whilst we thus express our gratitude, we cannot but complain, that through some defect in the Resolves, or neglect in those who were intrusted with the execution of them, we find our situation little better than it was before they were passed. We have yet received but two months of the supplies allowed, and have no prospect of receiving any more, as Colonel Craighead informs the Commanding Officer in a letter, dated October 7th, '79, that he has received but 1400 pounds to purchase a quarterly supply of necessaries, that it is inadequate to the purpose, and therefore desires we will each take a dividend of that money in lieu of the necessaries

¹ It was also deemed necessary to "encourage the officers of the Delaware regiment," and for that purpose an act was passed on June 4th providing that they be furnished at the expense of the State with certain "necessaries of life," for which they were not able to pay out of their private fortunes. Each field officer was allowed monthly two gallons of rum, six ounces of tea, two pounds of coffee, two pounds of chocolate and six pounds of sugar. A proportionately decreased allowance was made to the staff and line officers. The appropriation to pay for the supplies was fixed at £1400 per quarter, and the seven years, half-pay after the conclusion of the war provided by Congress was continued by the State during the life of the recipient, or to his widow after his death.

which we are entitled to receive from him, by the Resolve of the Honorable House. This desire we must refuse to comply with, for we cannot conceive that the Honorable House would wish we should compound with Colonel Craighead, and accept one-third of the value, instead of the articles; as this would, in a very great measure, deprive us of the benefit of the Resolve, and again subject us to suffer by the depreciation of our currency, which evil their Resolve was generously intended to prevent.

"We further beg leave to acquaint the Honorable House that of the suit of clothes, which they have ordered us to be supplied with, though the season is so far advanced, none of us have received a full suit, some not one article, and in general we want many things that are difficult to obtain, and cannot be dispensed with at this season, but at the risk of our health.

"We would also beg leave to represent to the Honorable House, how necessary a part of an Officer's dress a hat is, and that we imagine a mistake only was the cause of its not being enumerated among the other articles of clothing, and, therefore, hope they will be pleased to allow us that useful article. We also hope the Honorable House will continue their bounty by allowing us a suit of clothes yearly, at least whilst the currency remains depreciated.

"Laboring under many difficulties which the distance from our respective homes, and the general depreciation of the money had thrown upon us, we were once before obliged to make application to the Honorable House for their assistance in removing or alleviating them. The spirit of generosity shown in their resolves on that occasion, encourages us to submit this to their consideration, confident that the welfare and honor of the Regiment, that claims this patronage are, next to the happiness of their country, their greatest wish, and that upon this representation of our case, they will minutely enquire, from what causes their resolves have not been executed, and make such provisions for their execution as will in future prevent applications of this kind from their

"Very humble servants,

"C. P. Bennett, L. D.	Peter Jacquett, Capt. D. R.
Edward Roche, Lieut. and P. M.	J. Learmonth, Capt. D. R.
Thos. Anderson, Lieut. and Q. M.	John Wilson, Capt. D. R.
R. Gilder, Surgeon.	Daniel P. Cox, Lieut.
John Platt, S. Mate.	Henry Duff, Lieut.
J. Vaughan, M. D. R.	E. Skillington, Lieut.
Robert Kirkwood, C. D. R.	Charles Kidd, Lieut.
John Come, Lieut. D. R.	Stephen McWilliams, Ensign D. R."

This plaintive appeal spurred the Legislature to the immediate passage of an appropriation of £15,000 to furnish the officers with clothing and supplies. On December 22, 1779, the two Houses met in joint convention and chose John Dickinson, Nicholas Vandyke and George Read delegates to Congress for the ensuing year, and the new office of purchaser for the army was filled by the choice of Thomas Duff for New Castle County, John Cook for Kent County and Simon Kollock for Sussex. On the 24th Mr. Read's declination of further service in Congress was presented, and with it the resignation of George Craighead of the office of commissary general of prisoners. Thomas McKean was elected in the place of Mr. Read and Major Henry Fisher in the place of Mr. Craighead, the latter still continuing as clothier-general of the State. The Legislature sat on Christmas day of this year and celebrated it by concurring in the Massachusetts proposition for the appointment of commissioners to meet at Philadelphia on the first Wednesday of the succeeding January to fix the prices of produce, merchandise and labor in each of the States. George Latimer and the members of Congress were made the representatives of Delaware in the commission. But while Delaware stood ready to join the other States in a general endeavor to restrict the cost of food, clothing and the common necessaries of life, she forcibly resented the interference of Congress in so much of the question as related purely to home affairs. Con-

gress had, on November 19th, enacted that any State which had failed to limit the selling prices of such articles to twenty-fold the prices prevailing in 1774, should be charged in the public accounts with the aggregate amount of the difference of prices paid after February 1, 1780, in the State. Delaware had not so restricted her merchants and dealers, and unless she did so, the law of Congress would have inflicted an enormous tax upon her slender treasury, for there were many staples of ordinary consumption that in 1780 cost forty or fifty times as much as six years previously, measured by the depreciated value and purchasing power of the Continental currency. The resolution adopted by the Council and Assembly declared that this legislation of Congress was "an infringement on the rights and liberties of the people and inconsistent with the freedom and independency thereof," and the delegates in Congress were instructed to endeavor to procure its repeal. This entire controversy grew out of the mercenary schemes of selfish speculators in provisions, breadstuffs and clothing. Every State was afflicted with shrewd and farsighted men who had hoarded their funds with the view of what we would in 1888 speak of as "cornering the market" in the things that people must have in order to be clothed and fed. These keen and grasping mongers had pushed the prices for their commodities up to enormous figures, and a popular outcry arose that the power of the people, as embodied in the Legislatures and Congress, must be employed against them. Delaware, with the traditions of English law fixed in the minds of her public men, resorted to the act "to prevent forestalling and engrossing," which established the profit which an individual might be allowed upon any article which he had bought to sell again, and provided fine and imprisonment for the demand of a higher price. Taxation was rapidly increasing and the act of December 26, 1779, decreed the raising of \$1,360,000 between February 1 and October 1, 1780. On December 28th, in accepting the resignation of Lieutenant-Colonel Pope, the Legislature resolved that the remaining officers of the regiment be promoted in rotation to fill up the vacancies. This was the last day of the session, but on March 28, 1780, both Houses were convened in special session at Lewes by President Rodney, to consider various propositions of Congress in regard to furnishing supplies for the army and enforcing the legal-tender function of the Continental currency. The appropriate bills were enacted and a law was passed conferring upon the subjects of the King of France all the privileges and immunities granted to citizens of the United States by the Franco-American treaty of amity and commerce. The extra session ended on April 16th.

The spring campaign of 1780 had now begun with the schemes of the British to crush the South-

ern States, and thereby counteract the defeat and disaster with which they had met in the North. Sir Henry Clinton, who had succeeded Howe in the command of the armies of invasion, was a bold, if not a skillful, strategist. Parliament and the crown had been generous toward him in the winter of 1779-80. Every mail from London, to his headquarters at New York, bore tidings of fresh bargains with the sordid German princes, to sell their stalwart veterans to the British effort to conquer the revolting nation across the sea, and also told him of reinforcements for his English regiments. He strongly fortified New York and Brooklyn, and withdrawing his forces from the Hudson River, and concentrating them within his works, made preparations for an expedition to capture Charleston, and reduce South Carolina. Leaving the command in New York to General Knyphausen, Clinton embarked eight thousand five hundred men, accompanied by Lord Cornwallis, and on December 26, 1779, set sail under convoy of Admiral Arbuthnot. Storms scattered and impeded the fleet, and it was not until the end of January that all the ships arrived at Tybee Bay, Savannah River. On February 10, 1780, the army sailed from Savannah to North Edisto Sound, where the troops disembarked on the 11th, on St. John's Island, thirty miles below Charleston. From this point Sir Henry Clinton, by a slow and cautious march, proceeded to Ashley River, opposite the city, while a part of the fleet went round by sea, for the purpose of blockading the port. On March 12th he took up a position on Charleston Neck, a few miles above the town, and began the investment. His original strength of ten thousand men was increased to thirteen thousand by the arrival of Lord Rawdon's eight regiments from New York.

Washington had every confidence in General Lincoln, the American commander at Charleston, whom he proceeded to reinforce with the Maryland division of two thousand men and the Delaware battalion then under command of Capt. Kirkwood,¹ and numbering a few less than five hundred rank and file. The last muster-roll of the regiment, no further returns having been made after the movement southward, on file in the office of the Secretary of State, is for February, 1780, and is as follows:

¹ Robert Kirkwood was born in Mill Creek Hundred, but was living in Newark and engaged in mercantile pursuits at the outbreak of the Revolution. He went out with Haslet's regiment as a lieutenant and raised the second company of Hall's battalion. He fought at Brandywine, Germantown, Monmouth, and went south in 1783, and upon the capture of Vaughan and Patten succeeded to the command, by virtue of being senior captain after Patten's promotion to major, of what was left of the battalion after the battle of Camden. When, after the Revolution, the army under St. Clair was raised to defend the West from the Indian enemy, this veteran resumed his sword as the oldest captain of the oldest regiment. In the action of the 4th of November, 1791, he was killed at the head of his command, bravely sustaining his point of the action. "It was the thirty-third time," says Lee in his "Memoirs," "he had risked his life for his country, and he died as he had lived, the brave, meritorious, unrewarded Kirkwood."

Muste-roll of the Field, Staff, other officers and privates of the Delaware Regiment of Foot, commanded by Col. David Hall, for the month of February, 1780.

David Hall, colonel, commissioned April 5, 1777.
Charles Pope, lieutenant-colonel, commissioned April 5, 1777.
Joseph Vaughan, major, commissioned April 5, 1777.
George Purvis, adjutant, commissioned August 15, 1778.
Edward Roche, paymaster, commissioned September 10, 1778.
Thomas Anderson, quartermaster, commissioned September 10, 1778.
Reuben Glider, surgeon, commissioned April 5, 1777.
John Platt, surgeon's mate, commissioned April 5, 1777.

FIRST COMPANY.

John Patten, capt., commissioned November 30, 1776.
Wm. McKennan, 1st lieutenant, commissioned April 5, 1777.
Elijah Skillington, 2d lieutenant, commissioned September 8, 1778.

Non-Commissioned Officers and Privates.

Wm. Maxwell, 1st sergt.	Archibald McBride, 2d sergt.
David Young, 1st corp.	Dennis Dempsey, 2d corp.
Henry Rowan, 3d corp.	Benj. Jones, drummer.
Joseph Staton, fifer.	

Privates.

John Clifton.	Alexander Clark.
Patrick McCallister.	Samuel Dodd.
Ebenezer Blackshire.	Richard Davis.
Patrick Dwyer.	Robert Miller.
John Andrewa.	Frederick Reid.
Wm. Walker.	John McCabe.
John Benson.	John McGill.
Cornelius Hagney.	John Hatfield.
Thomas McCann.	John Robinson.
Patrick Burk.	Isaac Griffin.
Levin Lassett.	Michael Dorman.
John Barnes.	Robert Iyer.
James Neill.	James Bennett.
Wm. Kilty.	Abraham Mears.
Wm. Newell.	Whittinton Clifton.
John Mitchell.	Hugh Donnelly.
James Brown.	John Highway.
Samuel Piles.	

SECOND COMPANY.

Robert Kirkwood, capt., commissioned December 1, 1776.
Daniel P. Cox, 1st lieutenant, commissioned April 5, 1777.
Charles Kidd, 2d lieutenant, commissioned September, 1778.

Non-Commissioned Officers and Privates.

Jonathan Jordan, 1st sergt.	Wm. Seymour, 2d sergt.
Wm. Reddin, 3d sergt.	Nehemiah Nichols, 1st corp.
Christopher Willett, 2d corp.	Edward Robinson, drummer.
John Johnson, fifer.	

Privates.

Adam Johnson.	John Carr.
John McKnight.	Wm. Whitworth.
Wm. Keyes.	Henry Willis.
Thomas Townshend.	Eli Dodd.
Wm. Draw.	Stephen Bowen.
John Stuart.	Wm. Donaldson.
Levi Bright.	Peter Croft.
James Hammon.	James Moones.
John Miller.	Cornelius Grimes.
Francis Williams.	Thomas Toole.
Benj. Bennett.	Joseph Preston.
Stephen Anderson.	Thomas Walker.
John Brown.	Wm. Heagane.
James Weighwright.	Joseph Ferguson.
Benj. Thompson.	Andrew Holland.
Wm. Lewis.	John Norman.
John Elving.	Joseph Culver.

THIRD COMPANY.

John Learmouth, capt., commissioned April 5, 1777.
Henry Duff, 1st lieutenant, commissioned August 16, 1778.
Thomas Anderson, 2d lieutenant, commissioned September 10, 1778.

Non-Commissioned Officers and Privates.

John Esham, 1st sergt.	George Collins, 2d sergt.
Seth Brooks, 3d sergt.	Charles Hamilton, 1st corp.
Wm. Black, 2d corp.	Wm. Hook, drummer.
Wm. Skinner, fifer.	

Privates.

Michael Lacatt.	Mark Beckett.
Levi Jackson.	Wm. Orton.
James Turner.	Thomas Harper.
Timothy Layfield.	Charles Connelly.
Eliakim Paris.	George Mershaw.
Wm. Parker.	Samuel Latimore.
James Cook.	John Middleton.
James Crampton.	Wm. Plowman.

George Hill.
Thomas Holliston.
Wm. Lingo.
Jeremiah Brown.
Wm. Hook.
Charles Wharton.
Dennis Flavin.
Jonathan Ireland.
Andrew Dixon.

Michael Garvin.
Thomas Harris.
Thomas Flinn.
Henry Nelabett.
Robert Hastings.
Peter Riccords.
David Davis.
John Watkins.

FOURTH COMPANY.

Peter Jacquet, capt., commissioned April 5, 1777.
James Campbell, 1st lieutenant, commissioned April 5, 1777.
Stephen McWilliams, 2d lieutenant, commissioned October 27, 1779.

Non-Commissioned Officers and Privates.

Mitchell Kershaw, 1st sergt.	Mordecai Berry, 2d lieutenant.
Jenkins Evins, 3d sergt.	Michael Elwood, 1st corp.
Abijah Houston, 2d corp.	Adam Joland, drummer.

Privates.

Wm. Wallis.	Casy Hall.
Ima Williams.	Zadock Tucker.
Wm. Ake.	Thomas Derrick.
John Turner.	Hambleton O'Neill.
Wm. Wright.	John Noble.
James Demar.	Bartholomew Adams.
Michael Dougherty.	Jacob McKinley.
John Joland.	Hugh Fleming.
James Redmand.	Wm. Simpson.
Wm. Jones.	John Cook.
Andrew Daley.	John Gorman.
Johnson Fleetwood.	James Scott.
Matthew Hilford.	John Castle.
Henry Norwood.	Timothy Kilkenny.
Wm. Furbush.	Jacob Benton.
John Gasford.	Robert Stafford.
David Willaby.	John Peoples.

FIFTH COMPANY.

John Wilson, capt., commissioned March 1, 1777.
Paul Quenswalt, 1st lieutenant, commissioned January 26, 1778.
Edward Roche, 2d lieutenant, commissioned September 10, 1778.

Non-Commissioned Officers and Privates.

Moses Pharis, 1st sergt.	John Cox, 2d sergt.
John Spencer, 3d sergt.	James Husbands, 1st corp.
Joseph Emerson, 2d corp.	John King, 3d corp.
Michael Green, fifer.	

Privates.

Solomon Price.	John Service.
Robert Downs.	Elias Meeker.
Robert Timmons.	David Ellis.
Jesse Timmons.	Frederick Vanderlip.
Wm. Fleming.	Neil Livingston.
Wm. Slay.	Jacob Cork.
Richard Moore.	John Hill.
Nathaniel Norton.	Benj. Moody.
Joshua Brown.	Joseph McAfee.
Nathan Arnot.	Wm. Simpson.
Wm. Fish.	Isaac Linsdaley.
Samuel Miller.	Levin Painter.
Samuel Long.	Kinley Haslett.
Isaac Carrall.	Samuel Wooden.
John Wiley.	

SIXTH COMPANY.

John Corse, capt., commissioned March 1, 1779.
Caleb Brown, 1st lieutenant, commissioned September 10, 1778.

Non-Commissioned Officers and Privates.

James Murphy, 1st sergt.	Patrick Dunn, 2d sergt.
Emanuel Pierson, 3d sergt.	Alexander McDonald, corp.
Charles Dowd, corp.	Thomas Miller, corp.
John Jackson, fifer.	Wm. Lewis, drummer.

Privates.

Patrick Flinn.	Wm. Legg.
John Todd.	Jasper Moscord.
Zedekiah Ridgway.	Thomas Rhodes.
Littleton Pickron.	Richard Taylor.
Wm. Burch.	Anthony Delavonia.
James Wilkinson.	John King.
John Conner.	Wm. Dixon.
John Hill.	John Furber.
Wm. Stantoh.	John Stewart.
James Marsh.	Wm. Perry.
Harmon Clark.	John Patterson.
Purnell Truitt.	Roger McCormick.
Edward Hallowell.	John Harris.
James Carson.	John Bently.
Moses Niels.	Wm. Grave.
John Blake.	Samuel Bass.
George Lee.	Edward Morris.

SEVENTH COMPANY.

John Rhodes, capt., commissioned December 4, 1776.
Caleb P. Bennett, 1st lieut., commissioned August 16, 1778.

Non-Commissioned Officers and Privates.

Hosen Wilson, 1st sergt.	Charles Coulter, 2d sergt.
Samuel Cross, 1st corp.	Thomas Nash, 2d corp.
Robert Thompson, drummer.	Win. Baily, fifer.

Privates.

Wm. Smith.	Patten Burris.
Wm. Willis.	George Clifton.
Patrick Coleman.	Neill McCann.
Edward Conner.	Wm. Kelty.
Wm. Murphey.	Samuel Nicholas.
Thomas Saxon.	Martenas Stipple.
Thomas Collins.	John Pemberton.
Jacob Cook.	Daniel Lawler.
Richard Hudson.	Richard Curryfoot.
Joshua Shehorn.	John Preston.
John Hurbert.	Richard Harria.
Christopher Crook.	Wm. Holt.
John Nelson.	John McConaughy.
John Cornell.	Richard Coffil.
Richard Pierson.	

EIGHTH COMPANY.

George Purvis, capt., commissioned October 16, 1777.
Joseph Hosman, 1st lieut., commissioned August 16, 1778.

Non-Commissioned Officers and Privates.

Joseph Hosman, 2d lieut.	John Kowan, 1st sergt.
Thomas McGuire, 2d sergt.	Thomas Thompson, 3d sergt.
Jacob Finly, 1st corp.	Dennis Leary, 2d corp.
James Corse, 3d corp.	David Miller, drummer.

John Hackney, fifer.

Privates.

Jonathan Coote.	Nathan Bowen.
Ellis Flower.	Wm. Peirson.
Alexander Dunlap.	Patrick McCurly.
Daniel Handley.	Joseph Tapp.
Alexander Flower.	Zadock Morris.
Patrick Mooney.	John Randorn.
John Lahcat.	Wm. Roe.
Frederic Holden.	John Phillips.
John Duffy.	Thomas Mason.
John Cullen.	Thomas Mattingly.
Jesse Royall.	Daniel Dally.
John Purnell.	Wm. Oglesby.
Wm. Gattery.	Daniel Murray.
James Bernalde.	James Kennig.
Charles Freeman.	John Stephens.
Levin Hicks.	Thomas Gordan.
Thomas Clark.	Thomas Townsend.
John Cazier, sergt.-major.	Herdman Anderson, drum-maj.
Robert Oram, 2d sergt.-major.	Timothy Cook, fife-major.

This will show an average of only about thirty-five men to each company, but within two months after it was made they had been recruited up to about sixty each. The Southern expedition was placed under the command of Major-General Baron De Kalb, and left Morristown on April 16, 1780, for the head of Elk River, Maryland, passing through Philadelphia and Wilmington. There were no better troops in the American army, and as they marched through Philadelphia they created an impression equal to that which had been made by Haslet's regiment nearly four years previous. A Philadelphia lady, in writing to a friend of the appearance of these Delawareans and Marylanders, said :

"What an army, said both Whig and Tory, as they saw them pass. The shorter men of each company in the front rank, the taller men behind them—some in hunting-shirts, some in uniforms, some in common clothes—some with their hats cocked and some without, and those who did cock them, not all wearing them the same way, but each man with a green sprig, emblem of hope, in his hat, and each bearing his firelock with what, even to un instructed eyes, had the air of skilful training."

The troops embarked at the head of Elk, on May 3d, for Petersburg, Va., where they were massed

on the 26th for the march south. Before they started General Lincoln had been compelled to surrender Charleston, after a brave defense, and on June 13th Congress appointed General Horatio Gates to succeed him in the command of the Southern Department, acting independently of Washington. Clinton looked upon the fall of Charleston as deciding the fate of the South, and embarking with a part of his forces on June 15th, he sailed for New York, leaving the remainder of his army under the command of Lord Cornwallis, who was instructed to pursue a vigorous campaign with the view of extending British domination over all the territory between the Chesapeake Bay and the Savannah River.

De Kalb pushed southward, with the resolution characteristic of that intrepid officer, against most distressing obstacles. Sergeant-Major William Seymour, of the Delaware regiment, kept a diary in which he recorded from day to day the incidents of this painful march. The expectations of a supply of provisions and a reinforcement of militia, made by the Governor of North Carolina, were disappointed. When they arrived at Buffalo Ford, on Deep River, on July 6, 1780, where General Gates took command on the 25th, the commissariat was absolutely empty. "At this time," says Seymour, "we were much distressed for want of provisions; men were sent out to cut the grain (corn) for daily sustenance, but could scarcely get enough to keep the troops from starving, which caused many of the men to desert. . . . For fourteen days we drew but a half-pound of flour per man; sometimes a half-pound of beef, but so bad that scarce any mortal could make use of it; and we lived chiefly on green apples and peaches, which rendered us weak and sickly."

Seymour's rough narrative is confirmed by George Washington Greene in the life of his father, General Greene. Wiser than the men, the officers denied themselves the unripe corn, apples and peaches and ate only of the beef from the lean cattle driven out of the woods and cane-brakes in which they had wintered. They used for soup such of the beef as was too tough for mastication and thickened the soup with their hair powder, which was a soft starch in an imperfect condition of crystallization. When Gates arrived he ordered an immediate march to Camden, South Carolina, with the promise "that plentiful supplies of rum and rations were on their way and would overtake them in a day or two." The sagacious De Kalb, who had already taken the measure of the weak, headstrong and foolish Gates, had no more confidence in his assurances of rations than in his judgment concerning the proper line of march to Camden. De Kalb would have gone around by way of Salisbury, "through the midst of a fertile country inhabited by a people zealous in the cause of

America;" but his stubborn commander was invincible to the arguments of fact and reason. Early on the morning of July 27th the army was put in motion over Buffalo Ford on the direct road to Camden through a sterile region. Colonel Otho Holland Williams, De Kalb's adjutant general, continued De Kalb's protest and made a number of other suggestions to Gates, who only replied that he would confer with his general officers at noon.¹ Colonel Williams wrote in his "narrative of the Campaign of 1780"—

"After a short halt at noon, when the men were refreshed upon the scraps in their knapsacks, the march was resumed. The country exceeded the representation that had been made of it—scarcely had it emerged from a state of sterile nature—the few rude attempts at improvement that were to be found were, most of them, abandoned by the owners and plundered by the neighbors. Every one in this uncivilized part of the country was flying from his home and joining in parties under adventurers, who pretended to yield them protection until the British army should appear, which they seemed confidently to expect. The distresses of the soldiery daily increased—they were told that the banks of the Pee Dee were extremely fertile—and so indeed they were; but the preceding crop of corn, the principal article of produce, was exhausted, and the new grain although luxuriant and fine, was unfit for use. Many of the soldiery, urged by necessity, plucked the green ears and boiling them with the beef which was collected in the woods, made for themselves a repast, not unpalatable to be sure, but which was attended with painful effects. Green peaches were also substituted for bread, and had similar consequences. Some of the officers, aware of the risk of eating such vegetables, and in such a state, with poor fresh beef and without salt, restrained themselves from taking anything but the beef itself, boiled or roasted. It occurred to some that the hair-powder, which remained in their bags, would thicken soup, and it was actually applied. The troops, notwithstanding their disappointment in not being overtaken by a supply of rum and provisions, were again amused with promises, and gave early proof of that patient submission, inflexible fortitude and undeviating integrity which they afterwards more eminently displayed."

On August 3d this half-famished army, two-thirds of the men suffering with dysentery, crossed the Pedee in batteaux at Mask's Ferry, and was joined on the southern bank by Lieutenant-Colonel Porterfield's little detachment of Virginians, who had been struggling northward since the surrender of Charleston. Says Adjutant-General Williams:

"The expectation, founded on assurances, of finding a plentiful supply of provisions at May's Mill, induced the troops again to obey the order to march with cheerfulness; but being again disappointed, fatigued and almost famished, their patience began to forsake them; their looks began to be vindictive; mutiny was ready to manifest itself, and the most unhappy consequences were to be apprehended, when the regimental officers, by mixing among the men and remonstrating with them, appeased murmure for which there was, unhappily, too much cause. The officers, however, by appealing to their own empty canteens and mess-chests, satisfied the privates that all suffered alike, and, exhorting them to exercise the same fortitude, of which the officers gave them the example, assured them that the best means of extricating themselves from the present distress should be immediately adopted; that if the supplies expected by the General did not arrive very soon, detachments should go from each corps in all directions to pick up what grain might possibly be found in the country and bring it to the mill. Fortunately, a small quantity of Indian corn was immediately brought into camp—the mill was set to work, and as soon as a mess of meal was ground it was delivered out to the men; and so in rotation they were all served in the course of a few hours—more poor cattle were sacrificed—the camp-kettles were all engaged—the men were buoy, but silent, until they had each taken his repast, and then all was again content, cheerfulness and mirth. It was as astonishing as it was pleasing to observe the transition."

At the Cross-Roads, on Lynch's Creek, Aug. 7th, and at Clermont, or Rugley's Mills, on the 13th, De Kalb was joined by the North Carolina and Virginia militia, some three thousand men. Lord Rawdon was posted at Camden, thirteen miles from

Clermont, and on the 14th was joined by Lord Cornwallis. They occupied a position possessing great natural advantages for defense, which they had increased by earthworks. Gates resolved on giving battle against the advice of his more experienced subordinates. On the 14th he sent a detachment under the command of Colonel Woolford, of the Maryland Line, to the support of General Sumter, who was undertaking a movement to capture the enemy's wagon-train, and on the next day marched with his main force to take post about seven miles from Camden. Seymour says that at midnight on the night of the 15th, just before the order to march, "instead of rum we were given molasses, which instead of enlivening our spirits, jallop would have been no worse." Simultaneously, by a singular coincidence, Lord Cornwallis with a force of three thousand men had marched out of Camden to assault the American camp at Clermont. The two armies met about one o'clock in the morning of August 16th about half-way between their respective encampments. With remarkable folly Gates had placed in his advance the cavalry of Armand's legion, an undisciplined command largely made up of deserters and raw recruits. They broke at the first fire from the enemy, and in endeavoring to rally them Lieutenant-Colonel Porterfield was mortally wounded. In their frantic rush to the rear they disordered the Maryland line and only halted to plunder the Delaware and Maryland wagon-train. The British did not follow up the advantage they had gained, and both armies waited upon the field for daylight. Gates called a council of war and asked his officers what was best to be done. Although De Kalb was of the opinion that they should regain their former position at Clermont and wait for an attack, he said nothing at the time, and the conference broke up after the declaration of General Stevens, of the Virginia militia, that "Gentlemen, it is *now* too late to do anything but fight."

At dawn Gates formed line of battle with the Second Maryland Brigade and the Delaware battalion on the right, under De Kalb. Stevens' Virginia militia were on the left and Caswell's North Carolinians in the centre. The artillery was in battery on the right and centre near the road. Each flank rested on a marsh. The first Maryland Brigade, under Smallwood, formed a reserve a few hundred yards in rear of the second. The British were formed in one line, with reserves on each flank. The disposition of the American troops was bad, as it brought the raw levies from Virginia and North Carolina directly in front of the British veterans. Colonel Otho H. Williams began the battle by attempting with some fifty Virginia volunteers to draw the fire of the British line. This expedient, tried for the purpose of sparing and reassuring the militia, proved a

¹ "Scharf's 'History of Maryland,' vol. II., p. 362.

failure, for as the enemy advanced firing and cheering, a panic infected the whole body of Stevens' men, who fled in the uttermost confusion. "Few discharged their guns," writes Colonel Williams, "and fewer still carried them off the field." Many threw down their arms and ran into the enemy's ranks. "The unworthy example of the Virginians was almost instantly followed by the North Carolinians; only a small part of the brigade, commanded by Brigadier-General Gregory, made a short pause. A part of Dixon's regiment of that brigade next in line to the Second Maryland Brigade fired two or three rounds of cartridge, but a great majority of the militia (at least two-thirds of the army) fled without firing a shot."

Armand's cavalry scurried away with the flying militia, and the Delawareans and Marylanders, twelve or thirteen hundred at most, were left to face three times their number. Gates had betaken himself to a place of safety and De Kalb was the senior officer remaining, and Williams, if not actually the next in seniority, followed him in the actual direction of affairs. It was a grim and deadly fight, made immortal by the heroism of this little band of American regulars. De Kalb dismounted and put himself at the head of his troops. Rawdon charged them, only to be hurled back with shattered ranks from that firm and blazing front, which then advanced and secured a number of prisoners. But just then the First Brigade, which formed the second line, was pressed back by the weight of superior numbers, and a gap of two hundred yards was opened between the two American lines. De Kalb reformed his ranks and cried "Give them the bayonet, men! give them the bayonet." The gallant Williams shouted "Take trees, men, choose your trees, men, and give them an Indian charge." It was in vain. The enemy having collected their corps, and directing their whole force against these two devoted brigades, a tremendous fire of musketry was kept up on both sides with equal energy and perseverance until Cornwallis pushed forward. Tarleton's dragoons and his infantry charged at the same moment with fixed bayonets, and ended the contest. De Kalb fell with eleven wounds in his body. His aid-de-camp, Dubuysson, supported him in his arms and was repeatedly wounded in protecting him. De Kalb died three days afterward, after dictating to Dubuysson, from his death-bed, a letter in which he spoke of "the gallant behavior of the Delaware regiment."

They had earned the compliment. They went into the fight five hundred strong. Lee, in his "Memoirs," Colonel Williams, in his account of the battle, and Sergeant Seymour, in his journal, use the same expression—"In this battle the regiment of Delaware was nearly annihilated." Of the five hundred there remained four captains, seven sub-

alterns, three staff officers, nineteen non-commissioned officers, eleven fifers and drummers and one hundred and forty-five rank and file. Eleven commissioned officers and thirty-six privates were made prisoners, making, including prisoners, a total of two hundred and thirty-five, and leaving a roll of dead and wounded of two hundred and sixty-five for a short fight of one hour. Lieutenant-Colonel Vaughan, who was in command, and Major Patten were among the captives,¹ all of whom were taken to Charleston. Generals Gates and Caswell arrived at Charlotte on the night of the action. On the following day Caswell was requested to rally the militia of the State; but Gates believing that he could receive no effectual success short of Hillsborough, where the Legislature of North Carolina was about to convene, hastened thither, where he was followed on the next day by Caswell. On the 18th, Captain Kirkwood and some officers of the Maryland brigades arrived at Charlotte, having under their command a few hundred survivors of the Camden catastrophe and went to work to collect the remnant of the scattered army. With the assistance of Colonel Sumter's force they hoped to make some semblance of opposition to the enemy until the militia of the State could be collected and the troops of the Southern States could be called into service by Congress. All day of the 18th irregular squads of men arrived in the town, and on the morning of the 19th the officers of the various commands attempted the business of re-organization. In this task with the Delawareans, Captain Kirkwood was assisted by Capt. Jacquet,² and they had re-formed

¹ Joseph Vaughan was English by birth and owned an iron furnace near Concord, Sumner County. He joined Haslet's regiment in 1776, and became a captain. Upon the organization of Hall's regiment, he was elected major, and upon the retirement of Hall and Pope became lieutenant-colonel. He was never exchanged after the battle of Camden and saw no further service. After the war he removed to "The Fork," in Maryland, on the Nanticoke River, where he died.

John Patten, as heretofore stated, was a farmer, near Dover. He was appointed a lieutenant in Haslet's regiment, and in September, 1776, when Congress called for troops to serve during the war, and fixed our quota at a regiment, or battalion as they called it, he raised a company, was made its captain, and his company was the first to join the regiment, and thus he became senior captain. Captain Patten, by virtue of his seniority among the captains, was promoted to be major, and, with Vaughan, was taken prisoner at Camden, and being paroled, but not exchanged, did not afterward join his regiment.

² Peter Jacquet was born on the family estate of Long Hook, on the Christiana opposite Wilmington, and enlisted in Haslet's regiment early in 1776. He was by Haslet's side when the latter was killed at the battle of Princeton, and subsequently joined Hall's battalion as captain of the Fourth Company. It was a Wilmington tradition that when Baron De Kalb was fatally wounded at the battle of Camden he fell into the arms of Jacquet. The major served from 1776 until the close of the war, spending but six weeks at home in all that time. He was in thirty-two battles and many skirmishes, and was twice wounded, though not severely. When Cornwallis' surrender at Yorktown ended the war he was at the South and was placed by General Greene in charge of a party of sick and wounded men, with instructions to convey them home, which he succeeded in doing after many hardships. Passing through Virginia, they were made welcome at the home of a patriot, where a lady presented Jacquet with some gold pieces which she had secreted. In after-years he repaid her heirs the principal and interest, amounting to over five hundred dollars. He arrived at home, broken down in health, to find that his estates had almost gone to ruin during his absence. His physician directed him to take a voyage to the West Indies in search of renewed vigor, but he had no money to spend on such a trip. Joseph Tatnall, the miller, offered him twelve hundred barrels of flour, with the proceeds of which he paid

two companies, when, on the 19th, intelligence was received that Colonel Sumter, whose arrival had been looked for so hopefully, had been surprised by Tarleton at his camp on the Wateree River and had only escaped after the loss of half his men. Charlotte being an open, defenseless place, General Smallwood, who had taken command of the American fragments, retreated to Salisbury and then on to Hillsborough, where General Gates convened a board of officers who determined that all the effective men should be formed into two battalions and one regiment; that the sick and convalescent troops should remain in camp; all the invalids to be sent home, and the supernumerary officers to return to their respective States to assist in the recruiting service. The force thus organized was made up of one hundred and seventy-five Delaware men, seven hundred and seventy-seven Marylanders and fifty Virginians. The Maryland regiment and the two Delaware companies, with Singleton's company of Virginia artillery, were brigaded under Smallwood and camped in the immediate neighborhood of Hillsborough, where, by the perseverance of their officers and their own good dispositions, they soon resumed their wonted discipline.¹ Colonel Williams wrote:

"The usual camp-guards and sentinels being posted, no person could come into or go out of camp without a permit. Parade duties were regularly attended, as well by officers as soldiers. . . . In this encampment no circumstance of want or distress was admitted as an excuse for relaxing from the strictest discipline, to which the soldiers more cheerfully submitted as they saw their officers constantly occupied in procuring for them whatever was attainable in their situation. Absolutely without pay, almost destitute of clothing, often with only a half-ration, and never with a whole one (without substituting one article for another), not a soldier was heard to murmur after the third or fourth day of their being encamped. Instead of meeting and conferring in small squads, as they formerly had done, they filled up the intervals from duty with manly exercises and field sports; in short, the officers very soon had the entire confidence of the men, who divested themselves of all unnecessary care and devoted themselves to duty and pastime within the limits assigned them. The docility and contentment of the troops were the more extraordinary, as they were not unfrequently reminded (when permitted to go into the country) how differently the British troops were provided for. The article of rum, the most desirable refreshment to soldiers, was mentioned among other inducements for them to desert; but so great was their fidelity to the cause, or so strong their attachment to their fellow-sufferers and soldiers, that they not only rejected the most flattering propositions to go over to the enemy, but they absolutely brought some of the most bold and importunate incendiaries into camp, who were delivered to the civil authority and some of them punished."

Tidings of the disaster to the Delaware regiment were made known at their homes in the last week of September and created a most painful meeting. The Legislature did not convene until November 1, 1780, when it at once passed an act granting two months' pay *in specie* to the officers made prisoners at Camden, and one month's pay, also in specie, to other officers of the command in service in the Southern Department. The two months' allowance was also made to Captain James Moore and Lieutenant John Hyatt, who

the expenses of his journey and returned in full physical soundness. He survived until September 13, 1834, and was eighty years old when he died. He was buried by the side of his wife, Eliza Price, of Chester, Pa., in the Old Swedes' Cemetery. The stone above his grave records his eminent services to his country. He left no children.

¹ Scharf's "History of Maryland," vol. II, p. 371.

were held prisoners on Long Island; eighty-five thousand dollars was appropriated to buy the needful specie, and fifty-five thousand dollars more to purchase clothing and stores for the men. Captain William McKennan was at this time in the State, having been detailed from the camp at Hillsborough on recruiting service.

In the summer and autumn of 1780 privateers were busy on Delaware Bay, and boats belonging to Tories committed numerous depredations on the property of Americans. In November the "Fair American," Captain Stephen Decatur, captured one of the enemy's craft near New Castle, and on the 4th of the month the Delaware Legislature passed an act directing President Rodney to fit out an armed vessel of not less than sixty tons burthen, with such accompanying boat or boats as he might deem necessary, to cruise against the British and Tories who were interrupting and impeding trade on the bay. It was also enacted that, as the trade and commerce of Pennsylvania and New Jersey were harassed in the same manner, the President should propose conjoint action of the three States.

Notwithstanding the efforts made at home to fill up the ranks of the Delaware command so that it might be raised again to the status of a regiment, recruiting was slow, and Captain Kirkwood was still in North Carolina with only the two companies. There was accordingly no chance of his receiving the promotion which he had so richly earned and which never came to this noble and competent officer. He was at Charlotte with his men when, on December 4, 1780, Major-General Greene arrived at that point to relieve Gates of the command of the Southern army. Two months previously General Daniel Morgan's legion of light troops had been formed. It was made up of four picked companies of Colonel Williams' Maryland regiment, a company of riflemen under Major Rose, and the dragoons of Colonel William Washington and Colonel White. When Greene arrived at Charlotte the Delaware companies were attached to his command under temporary orders, and to strengthen them, some men were drafted from the Second Maryland Regiment into their ranks. On December 20th, the divisions of the Southern army moved in opposite directions from Charlotte, the main body towards the Pedee, and Morgan's detachment toward the country watered by the Broad and Pacolet Rivers. The main army reached in eleven days a new camp on Hicks' Creek, and on the 25th, Morgan halted at Grindell's Ford, on the north bank of the Pacolet, where he was reinforced by Colonel Pickens and Major McCall with two hundred and sixty mounted Carolinians. On the 28th or 29th, General Davidson brought in one hundred and twenty men and returned to forward five hundred more.

Cornwallis' plan was to penetrate between the

two divisions of the Americans and crush them in detail. On January 1st he sent Tarleton forward from Winnsborough with instructions to destroy Morgan or push over Broad River towards King's Mountain, the main body of the British to co-operate by advancing to the same point, and in case Morgan's forces should succeed in crossing the river, to intercept their retreat and compel them either to fight, disperse or surrender. Tarleton reached the Pacolet on the 15th, while Cornwallis, proceeding up the eastern bank of the Broad River, arrived at Turkey Creek on the following day. Morgan at once broke camp and pushed over the mountain road to Hancocksville; then, turning into a by-road, he proceeded towards the head of Thicketty Creek, and arrived at the Cowpens about sundown, when he ordered a halt. Sergeant Seymour wrote of this march that it was made very difficult by "crossing deep swamps and climbing very steep hills," and added that "the inhabitants along this way live very poorly; their plantations uncultivated, and living in mean houses; they seem chiefly to be of the offspring of the ancient Irish, being very affable and courteous to strangers."

Bivouacking at the Cowpens on the night of the 16th, Morgan went among his men to encourage them for the battle of the morrow. Major Thomas Young, a volunteer in the fight, wrote:

"He went among the volunteers, helped them to fix their swords, joked with them about their sweethearts and told them to keep in good spirits and the day would be ours. Long after I laid down he was going about among the soldiers encouraging them and telling them that the 'Old Wagoner' would crack his whip over Ben (Tarleton) in the morning as sure as he lived. 'Just hold up your heads, boys,' he would say; 'give them three fires and you are free. And then, when you return to your homes, how the old folks will bless you, and the girls kiss you for your gallant conduct!' I don't think that he slept a wink that night."

Morgan placed Major McDowell, with sixty picked men of the South Carolina militia, and Major Cunningham, with the same number of Georgians, one hundred yards in advance of his front line to act as skirmishers. In the rear of these were ranged in open order, on a line three hundred yards long and one hundred and fifty yards in advance of the main body, three hundred and fifty Georgia and North Carolina militia. In the rear of these and on the brow of a hill were the Delaware and Maryland men, this part of the line being commanded by Lieutenant-Colonel John Eager Howard, who posted to the right and left respectively the Augusta riflemen and the Virginia militia. Still farther to the rear were Colonel Washington's horsemen and McCall's volunteers. Morgan specially addressed Howard's men, telling them to fire low and deliberately, not to break on any account, and if forced to retire, to rally on the eminence in their rear, where, supported by the cavalry and militia, defeat he regarded as impossible; and he concluded by declaring that upon them

the fortune of the day and his hopes of glory depended.

Advancing under protection of a heavy fire from their artillery, the British pressed courageously on to the foremost rank of militia, who at first stood firm and answered them with volleys that opened great gaps in their ranks. But when the enemy were within one hundred and fifty yards the militia broke and made for Howard's main line; but before reaching it, they were charged by the British dragoons and sought the protection behind the hill, whither they were closely pursued. It was the decisive moment of the battle; for if the Delaware and Maryland men had wavered the day would have been lost. "Tarleton," wrote Seymour, "endeavored to outflank us on the right, to prevent which Captain Kirkwood wheeled his company to the right and attacked their left flank so vigorously that they were soon repulsed." The British, indeed, had deemed the victory already secured by the retreat of the militia, and had thrown themselves with cheers on Howard's front. The pieces of his men blazed and the enemy recoiled, but charged again, and for twenty minutes pressed against the Continentals with the whole weight of their compact line. Then they fell back slightly, and Tarleton ordered up his reserve, and the British again moved forward, while their dragoons, taking a wide circuit to the left, were preparing to attack the American right flank. At this critical moment that portion of the British horse which had pursued the flying militia flew past the American left, closely followed by Washington's cavalry, while Pickens' South Carolina militia had rallied and were moving to the support of Howard. The British line still advanced with the reserve overlapping Howard's front and endangering his right flank. To meet the threatened attack and protect himself until the cavalry and militia could be brought to his assistance, Howard ordered Kirkwood's company to change front, but mistaking the order, the men, after coming to the right-about, marched to the rear, a movement in which they were slowly imitated by the remainder of the line. Howard, supposing that they had been ordered to fall back to the hill in the rear, calmly noticed the admirable deportment of his men, who moved as if in parade. His first impulse was to correct the mistake, but struck with the manner in which the retrograde movement was effected, he allowed it to proceed.¹

Morgan seeing his main line in full retreat, rode with feelings of alarm and astonishment up to Colonel Howard, who quickly explained to him the cause of the movement and removed the apprehension he expressed, by pointing to the line and remarking that "men were not beaten

¹ Scharf's "History of Maryland," vol. II., p. 406.

who retreated in that order." Morgan was at once reassured and directed Howard to ride along the front and order the officers to halt and face about the moment the word was given, while he rode forward to select a place where the columns should be once more deployed for action. Morgan had scarcely left when a messenger reached Howard from Colonel Washington, who had charged and broken the British cavalry. "They are coming on like a mob," were the words Washington had put into the mouth of his courier, "Give them another fire and I will charge them." The order to halt and turn upon the enemy was caught up from man to man. "Face about boys, give them one good fire and the victory is ours!" sang out the strident voice of the old Virginia wagoner as he galloped along the ranks. The British were within thirty yards and rushing on in some disorder. They were stunned by the fire which Howard poured into them. It has been said of this battle that never before was there known such quick loading, discharge and reloading of the flint-lock muskets and rifles as the Americans then displayed. The rapidity and accuracy of their fire demoralized the British. Before they had recovered from the shock Howard shouted the order to charge. This completed the panic of the enemy in his front. Before his cold steel touched them the greater number had thrown down their arms and were begging for quarter, while others had turned their backs in speedy flight. The only part of the field in which the battle was still raging was off to the American right, where Washington was endeavoring to capture the British guns, which were defended by Tarleton's light cavalry and by the crack Seventy-first Regiment of infantry. Pickens' militia came to the assistance of Washington and Howard charged into the midst of the Seventy-first. Tarleton made a dash to save his guns, but was quickly beaten off and escaped with forty men, but not before he and Washington had met face to face. Tarleton received a sabre cut on the hand and Washington a pistol wound in the face. Howard had so smashed the Seventy-first that he had at one time in his hands the swords of seven officers who had personally surrendered to him. The defeat of the British was complete. They lost one hundred killed, one hundred and fifty wounded, six hundred prisoners, three pieces of artillery, two stands of colors, eight hundred muskets, thirty-five wagons and baggage and one hundred cavalry horses. It was an utter destruction of their force, which amounted to eleven hundred and fifty veterans. There were but eight hundred Americans engaged, and they lost but twelve killed and sixty-one wounded. The outrages inflicted by Tarleton upon prisoners and even upon non-combatants were fresh in the minds

of the victors when his troops threw down their arms. The ominous cry of "Tarleton's quarter" passed with bitter emphasis from one end of the line to the other, but the intervention of Morgan, Howard and other officers prevented the shedding of the blood of the captives. Incensed at the defeat of Tarleton, Lord Cornwallis, who was not more than thirty miles distant from the scene of action, determined to pursue his retreating adversary, regain his captured troops and baggage, re-establish the royal government in North Carolina and press forward to form a junction with the British troops under Arnold on the Chesapeake. Leaving Lord Rawdon with three thousand effective men to hold South Carolina, Cornwallis, having been reinforced by Leslie's command, began, on January 19, 1781, his long march to the North. Collecting his army at Ramson's mill, on the south fork of the Catawba, he resolved on the 25th to sever his communications with South Carolina and to put his army in light marching order. Destroying his extra baggage and nearly all his wagons, he took up his "flying march" in pursuit of the American army. Morgan, anticipating the tactics of Cornwallis, on the 25th wrote to General Greene, advising a junction of their forces. On the receipt of this letter, Greene placed his army under the command of Major-General Huger, with orders to push forward with all speed by the direct road to Salisbury, while Greene, accompanied only by an aide and a sergeant's guard of dragoons, rode across the country nearly one hundred and fifty miles and on the 30th reached Morgan's camp at Sherrald's Ford, on the Catawba. The design was to unite all the forces at Salisbury, but it was necessarily abandoned because of the rapid advance of Cornwallis and the crippled condition of the American troops. "More than half our members," wrote Greene to Sumter, "are in a manner naked, so much so that we cannot put them on the least kind of duty; indeed, there is a great number that have not a rag of clothes on them except a little piece of blanket in the Indian form around their waists." These tatterdemalion heroes, however, formed the junction of Morgan and Huger's commands at Guilford Court-House on February 8th. All told they were too weak to offer battle to the enemy, and to cover their retreat Greene organized a picked force of cavalry and infantry, in which Kirkwood's Delawareans were included. He desired Morgan to take command of it, but the "Old Wagoner's" days of campaigning were ended. Rheumatism had done for him the work which the enemy's bullets failed to accomplish, and the trust which he was compelled to decline was placed in the capable hands of Colonel Otho H. Williams. Greene ordered him to "harass the enemy in their advance, check their progress, and,

if possible, give us an opportunity to retire without a general action." Williams obeyed orders and the battle of Guilford followed.

On February 10th the American army was at Guilford, N. C., and Cornwallis at Salem, twenty-five miles distant. On the same day Greene started with his main body for Boyd's Ferry, while Williams, Howard, Washington, Henry Lee and Carrington placed themselves in front of the enemy. The object of the movement of these light troops was to mislead the British in order to cover Greene's retreat, and it was quite a success. Cornwallis, who always needed twenty-four hours in which to comprehend truthfully a military situation, saw Williams' command in front of him and imagined that he had the whole American army in position where he could crush them with his overwhelming force. Greene meanwhile was pushing forward and had gained nearly a day's march. Williams was skilfully covering the retreat by destroying the bridges in front of the British advance and stripping the region of provisions. It was a chase in which both armies suffered almost incredible privations. "Most of the men," says Sergeant Seymour, "were entirely without shoes and had no time to cook what provisions they had." Lee wrote of Williams' corps, in which the Delawareans were embraced:

"The light corps was rather better off, but among its officers there was not a blanket for every three; so that among those whose hour admitted rest it was an established rule that at every fire one should, in routine, keep on his legs to preserve the fire in vigor. The tents were never used by the corps under Williams in the retreat. The heat of the fires was the only protection from rain and sometimes snow; it kept the circumjacent ground and air dry while imparting warmth to the body." The North Carolina militia becoming discouraged, by the third day all but about eighty of them had deserted, majors and captains going off with their men. "You have the flower of the army," wrote Greene to Williams; "do not expose the men too much, lest our situation should grow more critical." Early on the following morning he wrote again: "Follow our route, as a division of our forces might encourage the enemy to push us further than they will dare to do if we are together. I have not slept four hours since you left me, so great has been my solicitude to prepare for the worst. I have great reason to believe that one of Tarleton's officers was in our camp night before last."

On February 14th, Greene crossed the Dan river into Virginia, his last troops landing on the Virginia shore by the time the astonished and mortified enemy had reached the opposite shore. Cornwallis gave his troops a day's rest, and then fell back by easy marches to Hillsborough. Greene

set Pickens and Lee on his track, and on February 27th, Cornwallis marched his whole force across the Haw River and encamped near Allamance Creek. Early in March, Greene received re-enforcements from Maryland, Virginia and North Carolina, and the Delawareans were strengthened by some fifty men enlisted under an act passed by the Legislature on February 10th. With these additions to his ranks, Greene decided to risk an engagement with the enemy, and on March 14th encamped near Guilford Court-House. He had 1651 regular troops and more than 2000 militia, and Cornwallis had 2400 veterans.

The battle of Guilford occurred on March 15th. Kirkwood's Delawareans were on the right flank of the army, in company with Col. William Washington's dragoons and Col. Lynch's Virginia militia. Near them, on the left, was the First Maryland regiment, under Command of Colonel Gunby. The North Carolina militia, who were the first to be attacked, gave way and fled, "none of them having fired," says Greene "more than twice, very few more than once, and more than half not at all." The British then attacked the second line, which was made up of Howe's Virginians, who made a gallant defense, but were forced back to the position of Gunby's Marylanders and the Delawareans. Once more these tried soldiers of neighboring States proved that they were superior to the Hessians, Highlanders and English; "the enemy rushed into close fire," wrote General Greene. "but so firmly was he received by this body of veterans (Gunby's regiment), supported by Howe's regiment of Virginia and Kirkwood's company of Delaware, that with equal rapidity he was compelled to recoil from the shock." Henry Lee's account of the battle is "that though the British general fought against two to one, he had greatly the advantage in the quality of his soldiers, General Greene's veteran infantry being only the First Regiment of Maryland, the company of Delaware, under Kirkwood, to whom none could be superior, and the Legion infantry, making all together 500 rank and file."

The Delawareans and Gunby's men charged with the bayonet upon the disordered ranks of the British. Gunby was shot down, but Col. John Eager Howard took his place at their head, and Washington's dragoons charged by their side. They were cutting down O'Hara's British brigade with sword and bayonet, when Cornwallis ordered his artillery to fire upon the struggling mass of friends and foes. Arrested by this terrible fire, Howard collected his men among the dead and dying and retired in good order, followed by Washington. The battle was won, chiefly by the exertions of the Delaware and Maryland veterans. Greene, in his report of it, spoke of the "Old Delaware Company under the brave Captain

Kirkwood," and Mr. Johnson, writing of the corps of Marylanders and Delawareans in the *Maryland Journal* of April 3, 1781, said :

"They did not exceed 285 in number, yet, unassisted, they drove from the field in the first instance the 63d Regiment, 322 strong, supported by the Magers and the light infantry of the Guards. Before they had yet breathed from the performance of this service, they pierced the flank of the first battalion of the Guards, and aided by the cavalry of Washington, dissipated a corps far exceeding their own in number, and the very boast of the British nation. Volleys of grape shot poured through their own ranks by the enemy, and the near approach of two British regiments on their left flank, arrested them in the pursuit; but they calmly and in perfect order returned to their position and exhibited a spirit that seemed only to covet more arduous service."

In this battle the Delawareans lost seven killed, thirteen wounded and fifteen missing.

While the Delaware soldiers were engaged in this campaign in the South, no important events occurred in the State. On February 10, 1781, Thomas Rodney, Thomas McKean and Nicholas Vandyke, were elected delegates to Congress for the ensuing year. On the 1st of March, the Articles of Confederation and Union between the States were formally ratified by Congress.

Immediately after Cornwallis left the vicinity of Guilford, Greene started in pursuit, eager for battle. Dismissing his militia, he set out with one thousand eight hundred regulars for the enemy's outposts in South Carolina. The strongest of these was Camden, which was held by Lord Rawdon, with a garrison of nine hundred men. Greene determined to take this, as he believed he would thus break the enemy's line in the centre, and the other outposts would fall in detail. On April 20th he arrived at Hobkirk's Hill, on the north of Camden, a mile and a half in advance of the British redoubts. He was expecting to be rejoined by Lee's legion, which he had sent to capture Fort Watson, on the left bank of the Santee; but before Lee returned, Rawdon marched to the attack, on the morning of the 25th. Greene wrote :

"Kirkwood, with his light infantry, was placed in front to support the pickets and retard the enemy's approach. As soon as the pickets began firing Kirkwood hastened with his light infantry to their support, and the quick sharp volleys from the woods told how bravely he was bearing up against the weight of the British army. Still he was slowly forced back, disputing the ground foot by foot, to the hill on which the Americans were waiting the signal to begin. . . . And soon Kirkwood, with his light infantry, and Smith, with camp-guards, were seen falling slowly back, and pressing close upon them the British van."

The battle of Hobkirk's Hill terminated unfavorably to the Americans through confusion and mistaken orders in their own lines, but the Delawareans maintained their untarnished reputation. Greene, in his orders of the day on the 26th, alluded to "the gallant behavior of the light infantry, commanded by Capt. Kirkwood;" and Seymour recorded in his diary that "In this action the light infantry under Capt. Robert Kirkwood, were returned many thanks by Gen. Greene, for their gallant behavior." They were a confirmation of the opinion of the Duke of Marlborough, that if he "could put a regiment through three

battles in which its bravery reduced it to a skeleton the remnant made the most dependable soldiers in the world." The Delawareans had precisely followed John Churchill's formula.

Though Rawdon was victorious at Hobkirk's Hill, the movements of Marion and Sumter compelled the British to evacuate all the northwestern portion of South Carolina except Ninety-Six. They still held Augusta, on the banks of the Savannah River, but that place was captured by Lee during the last week of May. The Delawareans were in this engagement, after which Lee hastened with his troops to join Greene in the siege of Ninety-Six, where he arrived on May 28th. Lord Rawdon was marching from Charleston with two thousand men to the relief of the post, and Greene thought it best to expedite affairs by assailing the formidable British entrenchments before Rawdon could come up. Lee was charged with the attack on the stockade fort on the right with Kirkwood's company and the infantry of the Lee legion. Fascines were prepared to fill the ditches, and close upon the footsteps of the forlorn hope came men with iron hooks fastened to the ends of long poles with which to pull down the sand bags. Major Rudolph commanded Lee's forlorn hope. Lee's command easily gained possession of the stockade in their front, which was held by a very small force of the enemy, but elsewhere along the line the American storming-parties were repulsed with heavy loss, and when Greene ordered them to retreat Lee abandoned the advanced position which he had gained. Thus ended the siege of Ninety Six, which lasted twenty-eight days, and cost the American army one hundred and eighty-five men. Greene went into camp on the High Hills of Santee, about ninety miles northwest of Charleston, and rested until August 23d, when he moved to attack the British at their post near the junction of the Wateree and Congaree Rivers. They retreated before him and halted at Eutaw Springs. Early on the morning of September 8th he was close upon them before they were aware of his approach. Kirkwood's Delawareans and Washington's cavalry were the American reserve, the army also embracing the North Carolina militia under Colonel Malmedy, South Carolina militia under Marion and Pickens, Sumner's North Carolina regulars, Campbell's Virginians and Williams' Maryland men under Howard and Hardman. Lee with his legion, and Henderson with the militia under Hampton, Middleton and Polk protected the flanks. Greene also had four cannon, four and six-pounders.

The Americans began the battle with the militia of the Carolinas in front, who fought stubbornly until their ammunition was exhausted, when they fell back under the protection of Lee and Henderson. Sumner, with his North Carolina Continentals, was ordered up to fill the gap, while the

veterans of Williams, Howard and Kirkwood were held back for the final struggle. The British advance was commanded by Colonel Stewart, a dashing and brilliant officer, who personally led his men in charge after charge. In one of these he pushed Sumner back, and the British left, springing forward as if to certain victory, fell into confusion. Before they could recover, Williams was upon them with the bayonet and pierced their centre. At the same moment Lieutenant-Colonel Wade Hampton, who had taken command of the cavalry on the left flank after the wounding of Henderson, charged, and Washington and Kirkwood plunged with sabres and bayonets upon Major Majoribanks, who was holding the British right.¹ Washington's horse was shot under him, and he was wounded and taken prisoner, together with nearly forty of his men, in the effort to dislodge Major Majoribanks, who held a strong position, from which he endangered the American left wing. The thicket was too dense for the movement of cavalry, and the men were taken one by one without the opportunity to resist. Kirkwood and Wade Hampton made a similar attempt with persistent valor, but Majoribanks only retired to a still stronger position and eventually behind the palisades of a garden which surrounded a stone house which the British had converted into a fortress. Unfortunately, after the earlier charges of Kirkwood, Howard and Williams had driven the enemy from every other portion of the field, and the Americans were in possession of the British camp, many of the soldiers drank of the liquors which they found in the tents so plentifully that whole companies became intoxicated. Of the incident when Greene was endeavoring to restore his disorganized line, and ordered the charge upon the house and garden held by Colonel Sheridan and Major Majoribanks, George Washington Greene, wrote:

"Kirkwood and Hampton were now at hand, and the men of Delaware pressed forward with the bayonet, while Hampton, collecting the shattered remains of Washington's cavalry, still bleeding, but not disheartened, made another trial with them, but the position was too strong to be forced, and though Kirkwood held his ground, Hampton was compelled to retire."

It is unquestionable that in this, their last, battle, Kirkwood's little corps added to the laurels which they had already gained. General Greene said, in his official report to the President of Congress:

"I think myself principally indebted for the victory obtained, to the free use of the bayonet made by the Virginians and Marylanders, the infantry of the legion, and *Captain Kirkwood's light infantry*, and though few armies ever exhibited equal bravery with ours in general, yet the conduct and intrepidity of these corps were peculiarly conspicuous."

Greene did indeed gain the victory on the 8th of September, 1781, at Eutaw Springs, through the efficacy of his bayonet charges, for during the

night the British positions were evacuated. On October 29th, Congress passed a resolution—

"That the thanks of the United States, in Congress assembled, be presented to the officers and men of the Maryland and Virginia brigades and the Delaware battalion of Continental troops for the unparalleled bravery and heroism by them displayed in advancing to the enemy through an incessant fire, and charging them with an impetuosity and ardor that could not be resisted."

General Greene and his army rested a few days near Eutaw Springs and then crossing Nelson's Ferry on September 12th, returned by slow marches to his old camp on the Heights of Santee. He had so effectually cleared the British out of Georgia and the Carolinas that they held only the ports of Wilmington, Charleston and Savannah, but his own forces were greatly thinned and worn out. They were not expected to do any more immediate fighting; but although the war was drawing rapidly to a close, there were reasons for fear of further aggressive movements by the enemy, and Greene sent many of his officers home on missions to recruit their commands.

In Delaware, during the summer of 1781, the most difficult work of the authorities was to raise forty-five thousand dollars in specie or supplies for the use of the general government. It was voted at the session of June 14th, at Lewes, and two days later a bill was brought in to expedite the enlistment and forwarding of recruits for the Delaware battalion. At the same time the President of the State was requested by the Legislature to order the first class of the militia to hold themselves in readiness to march wherever General Washington might direct; this was in pursuance of a requisition of Congress of May 31st; but as Delaware could neither arm or equip these troops, the Board of War was asked to lend the State sufficient weapons and accoutrements. Whether it was that the Board could not comply, or that the militia could not be mobilized, they were not brought into service. The efforts to raise enough men for Kirkwood to again elevate his command to the rank of a battalion, which would have involved his own promotion to a colonelcy and corresponding benefits to his subordinate officers, were more successful in one aspect, though not in that of the first consequence to Kirkwood and his handful of veterans. Recruiting progressed favorably in Delaware in the early months of 1781, and some three hundred men were obtained under the expectation that they would be added to Kirkwood's ranks in the Carolinas. But at that time the traitor, Benedict Arnold, had been dispatched by Sir Henry Clinton to the Chesapeake, with a fleet of sixty sail, and sixteen hundred men to replace General Leslie, who had gone to reinforce Cornwallis. The land force was composed of British, Hessians and Tories; and as Clinton distrusted Arnold, he sent with him Colonels Dundas and Simcoe, two experienced British officers, who

¹ Carrington's "Battles of the Revolution," p. 580.

were to be consulted in every movement. Arnold overran the country on both sides of the Chesapeake, and burned and plundered Richmond, Portsmouth, Petersburg and other towns. On Jan. 1, 1781, Congress instructed General Washington "that he should immediately make such distribution of his command, including those of our allies (the French) under Count Rochambeau, as will most effectually counteract the views of the enemy and support the Southern States." In compliance with these instructions, Lafayette marched south with twelve hundred men, and Admiral des Touches, upon whom the command of the French fleet devolved upon the death of Admiral de Ternay, dispatched from Newport, Rhode Island, Captain de Tilly with the men-of-war "L'Eveillee," "Gentile," "Surveillante" and "La Gueppe," to co-operate with him. De Tilly took his ships into the Chesapeake, but sailed to sea again without encountering the British fleet, and Lafayette was so hampered that he did not reach Virginia until May. These operations, however, brought the closing work of the war into the Virginia peninsula between the York and James Rivers, and so it occurred that when Cornwallis concentrated his forces in that State, and Washington and Rochambeau hurried thither to meet him, the Delaware recruits, instead of being sent to Kirkwood, were stopped on their march southward and ordered to join the army that in September began the siege of Cornwallis' army at Yorktown. There are various indefinite allusions to their arrival at that focus of the concluding military events of the Revolution, and it is only certain that they were in the vicinity when General Lincoln opened his first parallel on the British front on October 6th. The surrender of Cornwallis took place on the 19th, and Washington at once started northward with all his troops except the Maryland, Pennsylvania and Virginia Continentals, who, under command of General St. Clair, were sent to the support of General Greene in the South. On October 27th the Delaware Legislature passed a resolution reciting that as Washington with a portion of his command would shortly pass through the State by the post at Christiana Bridge, that post should be thoroughly provisioned, and General Patterson, Lieutenant-Colonel Henry Darby, Major James Black and Captain William McClay were authorized to purchase the necessary provisions and storage upon consultation with Deputy-Quartermaster Yeates. On November 6th the term of Caesar Rodney, as President of the State, having expired, the Legislature met in joint convention, and by a vote of twenty-five out of twenty-six members present elected as his successor John Dickinson for the legal term of three years. On the 9th resolutions were passed appropriating three hundred pounds in specie to Lieutenant-Colonel Charles Pope, for

the purpose of protecting the trade of the bay and river. He was authorized to "take the command of the State schooner now lying at New Castle," and also of "the State barge, or long-boat, at the Cross-Roads," in the county of Kent; to put them into proper fighting condition; to recommend to the President of the State one person to be commissioned as lieutenant of marines and to enlist forty men for service on the vessels, which were to cruise on the bay and river only. On the 13th Mr. Dickinson appeared before the joint convention of the Legislature and accepted the position of President in a brief address, in the course of which he said:

"If, in my attempts to discharge this complicated duty, any part of it escapes my attention, I ask, and shall at all times gratefully receive, your advice or information. As it does not appear to me inconsistent with this duty, so it will be a pleasing employment to consult the ease of the good people of the State, as far as can be done without weakening our exertions in maintaining this just and necessary war, which men of sense and virtue cannot desire. May a happy harmony in sentiment and measures, so beneficial to society, always prevail among us, or, if there must be a division, let it only be between those who generously contend for the freedom, independence and prosperity of their country, and such as weakly wish for a dangerous and dishonorable submission to enemies so infatuated as to hate where they ought to admire, and to provoke their own and pursue the ruin of these States, though nature and policy point out that we should be blessings to one another."

The Legislature also made appropriations of £100 each to Thomas Rodney, Nicholas Vandyke and Thomas McKean, the delegates in Congress, and furnished the past and present officers of the Delaware troops with money as follows:

Colonel David Hall, Lieutenant Joseph Vaughan, Captain Peter Jacquett and Captain Robert Kirkwood, £100 each; Major John Patten, £75; Captain James Moore, Captain John Learmouth, Captain John Wilson, Captain Daniel P. Cox, Captain George Parvis and Doctor Reuben Gilder, £60 each; Lieutenants Charles Kidd, James Campbell, Joseph Horsman, Elijah Skillington, Edward Roche, Henry Duff and Thomas Anderson, £40 each; to Ensign Stephen McWilliams, £30; and to Mrs. Joanna Holland, whose husband, Captain John Holland, had been killed at the battle of Germantown, £40. Appropriations of £475 for supplies, for the detachment under the command of Captain William McKennan, and £825 for supplies for the men who remained in Greene's army were ordered; and it was recommended to the President "to issue his orders to the officers of the Delaware regiment now in the state (Captain Moore excepted), and not prisoners of war," that as soon as they should receive the money appropriated to them "they do repair to their regiment, so that the officers thereof, now with General Greene may, if they think proper, apply for leave of absence for a time, and their places supplied by such as are within the intent of this resolution."

The vigilance that is the price of liberty had dictated these measures relative to the Delaware troops, and was characteristic of the attitude of the

Delaware patriots during the war. Like their associates of the other States, they were not prepared to accept the Yorktown surrender as the end of the war. They did not at first understand that King George III. and his ministry had been crushed by the tremendous power of the French alliance, and the defeat of the flower of the British army under Cornwallis. The recruits who had seen the Yorktown surrender were returned home, and disbanded in January of 1782. Seymour's diary tells of the movements of Kirkwood's men after they had no more fighting to do in the South. He wrote:

"On November 16th, 1782, the Delaware Regiment had orders to hold themselves in readiness to march home from the southward. On the same day started from Head-quarters on the Ashley river for home, coming by way of Camden. Having arrived there November 22nd, were detained thirteen days by orders from General Greene; left on December 5th; coming by way of Salisbury, Petersburg, Carter's Ferry, on James River, we arrived at Georgetown in Maryland, January 12th, 1783; left there the same day and arrived at Christiana Bridge on the 17th, after a march of seven hundred and twenty miles from Encampment on Ashley River, which was performed with very much difficulty, our men being so very weak after a tedious sickness which prevailed amongst them all last summer and fall."

The "Blue Hen's Chickens," a *sobriquet* which the Delawareans had been honored with since the beginning of the war, resumed their duties as citizens upon their return home. The appellation dates back to the days of 1776, when Captain Jonathan Caldwell's company, of Haslet's regiment, took with them game chickens, celebrated in Kent County for their fighting qualities, and said to be of the brood of a certain blue hen, renowned through the country-side. Mr. Whitely, in collecting this information, found the following names of the officers and members of the company:

Jonathan Caldwell, captain.
John Patten, 1st lieut.
George McCall, 2d lieut.
James Stevens, ensign.
John Depoister, 1st sergt.
Joseph Campbell, 2d sergt.
John Row, 3d sergt.

John Corne, 4th sergt.
John McCannon, 1st corp.
John Dewees, 2d corp.
Robert Drum, 3d corp.
Imac Matthews, 4th corp.
Robert Thompson, drummer.
Cornelius Comegys, fifer.

Privates.

John Shearn.
James Millington.
John Manning.
John Kinnamon.
Michael McGinnis.
Robert Solway.
William Plowman.
John Allen.
John Butler.
Jacob Wilson.
Nathan Bowen.
John Pegg.
George Bateman.
Joseph Robinson.
James Carson.
John Nickerson.
John Spring.
Zachariah Bally.
Peter Bice.
James Robinson.
John Simmons.
Robert Graham.
John Kelly.
Allen Robinson.
William Edlingfield.
Robert Ferrell.

John Hart.
Francis Blair.
John Wilson.
John May.
Thomas Flinn.
George Riall.
Peter Grewell.
William Perry.
Ephraim Townsend.
Isaac Cox.
John Matthews.
William Hall.
Mark Evans.
Hosea Wilson.
John Edlingfield.
Nathan Gaus.
Lewis Humphreys.
Kimber Haslet.
Garrett Fagan.
Harman Clarke.
John Tins.
Lambert Williams.
William Mott.
Alexander McDowell.
Daniel Lawley.
Peter Wilcox.

In the intervals of duty Caldwell's men used to amuse themselves with pitting their game-cocks, and the fame of the matches spread throughout the

army and into cotemporary history, so that the "Blue Hen's Chickens" became a synonym for the Delaware veterans. Their record may fittingly be concluded with Henry Lee's remark, in speaking of the Continental line, that "the State of Delaware furnished one regiment only, and certainly no regiment in the army surpassed it in soldier-ship."

Ramsey, in his "History of the United States," vol. i. p. 209, says:

"The Delaware Regiment was reckoned the most efficient in the Continental Army. It went into active service soon after the commencement of the contest with Great Britain, and served through the whole of it. Courting danger wherever it was to be encountered, frequently forming part of a victorious army, but oftener the companions of their countrymen in the gloom of disaster, the Delawares fought at Brooklyn, at Trenton and at Princeton, at Brandywine and at Germantown, at Guilford and at Eutaw, until at length, reduced to a handful of brave men, they concluded their services with the war in the glorious termination of the Southern campaign."

Doctors Latimer and Tilton were the medical officers of distinction whom Delaware furnished. Whitely says of them:

"Dr. Henry Latimer was born in Newport in 1752. He commenced the study of medicine in Philadelphia, and completed it by graduating at the Medical College of Edinburgh. Upon his return home he commenced the practice of his profession in Wilmington, but in 1777 he, as well as Dr. Tilton, were appointed surgeons in the Continental Army, and were attached to what was called the Flying Hospital, and were with the army in all the battles in the Northern Department, from Brandywine to Yorktown. He acquired quite a distinction as a surgeon, and on peace he returned to the practice of his profession. He was elected a member of our legislature after our State organization; also to Congress from 1793 to 1796, and was elected in 1794 by the Legislature one of the Senators from this State in Congress, and served out his constitutional term. He died in 1819.

"Dr. James Tilton's history is about the same as Dr. Latimer's. He entered the army as surgeon of Colonel Haslet's Regiment. He was also skilled and honored as a surgeon. Upon the return of peace he settled on the property now owned by William Howland; was Surgeon General of the army in the War of 1812, and died in 1818."

The concluding incident of the war in or around Delaware, occurred April 8, 1782, when the American sloop-of-war "Hyder Alley," Captain Barney, defeated the British sloop "General Monk," at the entrance of the bay. At the session of the Legislature on January 25, 1782, President Dickinson sent in a long message, in which he congratulated his countrymen upon the successes of the American cause in the South, but reminded them of what appeared to be the decision of the British ministry to push the war to extremes, and to break the Franco-American alliance. The final paragraphs of his message are an exhibition of the spirit prevalent in Delaware, to continue the war unto the last stage of exhaustion, if necessary. He wrote:

"We, knowing that a vast majority of the inhabitants of these States will, at every hazard, maintain their independence, now indispensably necessary for supporting their honor and happiness, and desire no peace but upon this ground, and that not one in a hundred would risk life or property for reconciliation upon any other terms, have relied too much upon this solid mass of opposition. Relaxation ensued and has been followed by its natural consequences. Happily for us, indeed, virtue has frequently paid the arrears of prudence. On the other hand, our enemies, viewing the same subject through the deceiving mediums of passion and prejudice, believe that the thinness of our battalions and the dilatoriness of our supplies are in a great degree occasioned by the disaffection of large numbers to our cause. This error produces another, and leads them to expect a dissolution of public credit from dissatisfaction at the burthens imposed, and a flattering comparison between their

funds, supposed by them to be almost inexhaustible, and the scantiness of our revenues."

President Dickinson went on to point out that the American patriots were willing to sacrifice everything for the preservation of their liberties; he also discussed the folly of the British supposition that a long-continued and cordial friendship between France and the United States was impossible, and in conclusion recommended to the Legislature early compliance with the acts of Congress for strengthening the confederation and improving the condition of the finances. By a supplementary message of the same date it appears that, in obedience to the request of General Washington, Mr. Dickinson had established at Wilmington a temporary hospital for sick soldiers returning from Virginia. The armed schooner which the State had equipped to cruise in the Delaware had been blockaded at New Castle by a stronger British vessel, and the President saw no hope of releasing her except by the co-operation of New Jersey and Pennsylvania.

During the January session of 1782 the Legislature passed the act for taking the first census of the State, and on February 2d it elected Philemon Dickinson, Thomas McKean,¹ Caesar Rodney and Samuel Wharton delegates to Congress for the current year. In their instructions reference was made to the resolutions passed by the Legislature in January, 1779, protesting against those articles of the Act of Confederation which made possible the almost illimitable territorial extension of the then frontier States by western acquisitions. The delegates were required to endeavor to procure an amendment of the Confederation in those particulars, and to employ their "most industrious exertions for obtaining, without any delay whatever, a final settlement of the boundaries of these States whose claims are immoderate, and of the rights of the United States on the principles of the resolutions, an adherence to which is so plainly consistent with justice and so indispensably essential to the peace and welfare of the Union. It is probable that the property of the islands in the Delaware may be considered as connected with this subject. We desire that you will attend also to this point and that you will take care that due regard be had therein to the rights of this State."

An act of Congress passed on December 4, 1781, was the cause of trouble and loss to Delaware. In many instances the little vessels of her citizens trading upon the bay and river had been captured by the enemy, but unless they were immediately

burned or taken out of the adjacent waters they were very likely to be recaptured by the bold residents of the neighboring shores. The act of Congress provided, however, that unless the recaptures were made within twenty-four hours of the capture there would be no restitution to the original owners. In adopting this regulation Congress had conformed to the practice of other nations; "but," said the Delaware instructions to her congressmen:

"we apprehend there ought to be a distinction made between captures in common cases and captures of vessels employed in the inland trade for the sole purpose of carrying the produce of the country to markets within the State and always navigating between and in sight of lands on each side without ever passing into the open sea. . . . If the present legislation continues in force, the damage to this State must be exceedingly great, if not irretrievable during the war. We have but very few shallops left, and the difficulty of procuring more is too well-known. If the property of those that remain is to be diverted in the manner before mentioned, it is highly probable that in a short time there will not be a vessel belonging to an inhabitant of this State."

To prevent this calamity the delegates were urged to press upon Congress such an amendment to the law as would permit the return of recaptured vessels to their owners, upon payment of salvage, not exceeding one-fourth the value of the property.

President Dickinson's message on the reassembling of the Legislature at Dover, June, 1782, embraced congratulations on the birth of a son and heir to King Louis XVI of France, and a warning not to repose confidence in any expectation that the recent changes in the British ministry meant an honorable treaty of peace. "I sincerely share with you," added the President, "in the high pleasure you must receive from the truly honorable testimony given by that distinguished commander, General Greene, to the uniform good conduct, singular merit and important services of the officers and soldiers of our line." On the 19th the two Houses adopted resolutions most emphatically condemning any attempt to conclude a treaty of peace with Great Britain except through Congress. The resolutions were brief, but pithy. They said:

"That the United States, in Congress assembled, have, by their Confederation, the sole and exclusive right and power of determining a peace and war, and of entering into treaties and alliances.

"That the honor and true interests of the United States require an inviolable adherence to the engagements of the treaty between his most Christian Majesty (the king of France) and the said states.

"That any man or body of men that shall presume, without the authority of the said States in Congress assembled first duly had, to enter into a negotiation concerning a peace or truce with the King of Great Britain or his agents, ought to be considered and treated as enemies of the said States.

"That the whole power of this State shall be exerted for enabling Congress to carry on the war until a peace consistent with our Federal Union and national faith can be obtained."

These resolutions were sent to the delegates in Congress as instructions. The next session of the Legislature continued from October 1st to November 1, 1782, but as the minutes were lost the only information of the proceedings is gained from the messages of President Dickinson and a few other scattering papers. The message of October 29th

¹ In 1782 a political attack was made in Philadelphia upon Chief Justice McKean, now of Pennsylvania, for holding, in addition to the office of judge, those of delegate to Congress from Delaware and President of Congress. It was shown that other members of Congress had done the same thing; and although the Constitution of Pennsylvania prohibited him from serving as chief justice and member of Congress at the same time, it was urged that the prohibition did not apply to him, from the fact that he held the offices from different States.

shows that in the preceding August Captain Moore's recruits for the Delaware regiment were marched to Philadelphia instead of being sent to the South, as originally purposed, and that there were eight regiments of militia in the State, seven of which the President had lately reviewed, finding occasion to speak favorably of all, but especially of those commanded by Colonels Duff, Hall, Jones and Polk. William Winder, Jr., was appointed commissioner to settle accounts with the United States. At the session of January 14, 1783, President Dickinson announced that he had been elected President of the Supreme Executive Council of Pennsylvania, and resigned his office as executive of Delaware. He had turned the administration of the State over to John Cook, Speaker of the Legislative Council, on November 4, 1782, who, on January 17, 1783, announced that Captain McKennan was marching northward with a detachment of the Delaware regulars that had been doing duty in the Southern army, the latest recruits being still quartered in Philadelphia.¹

On February 1st Nicholas Van Dyke was elected President by eighteen votes out of thirty in the joint convention, and Caesar Rodney, James Tilton, Eleazar McComb and Gunning Bedford, Jr., were chosen delegates to Congress.

On June 5, 1783, President Van Dyke officially communicated to the Legislature the conclusion of peace between the United States and France on one side and Great Britain on the other. In his message he said :

"I beg leave to congratulate you on the happy and important event of peace, liberty and independence secured to these States by the preliminary treaties between the belligerent powers. The accomplishment of these objects, under the smiles of Divine Providence and the aid of our illustrious ally, has placed America in an equal station among the nations of the earth. Her attention should now be undiverted to support a character worthy of the virtuous struggles by which she has in her late ardent conflict acquired her elevation; and, I hope, a regular administration of justice and a due veneration of national faith, will render her as respectable in peace as she has been illustrious in war."

On June 21st the Legislature instructed the delegates in Congress to insist that Delaware was entitled to a right, in common with other members of the Union, to the land west of the national frontier. Much opposition was developed to accepting the Virginia act of January 2, 1781, respecting the partial cession to the United States of the lands northwest of the Ohio River. "We apprehend," resolved the Legislature, "the considering of these lands as the now indisputable right of the United States in common, and hereafter to be granted out on terms beneficial to the whole, is so plainly consistent with justice and so indispensably essential to the future peace and welfare of the Union, that we feel ourselves not a little alarmed at such a seeming disinclination,

¹ Delaware enlisted during the Revolutionary War—1775-81, including Continental soldiers and militia, in 1776, 734; 1777, 1,999; 1778, 349; 1779, 317; 1780, 656; 1781, 29; 1782, 164 and 1783, 245 men, making a total of 3763 men.

which too evidently appears in our sister State in giving up what justice so loudly demands of her." It is part of the history of the country that the northwestern lands question was eventually arranged to mutual satisfaction.

With the passage of acts raising twenty-two thousand five hundred pounds and to authorize Congress to levy duties on imports into the State for a limited time, and to establish a sinking fund for the payment of interest on the public debt, the Legislature adjourned to the following October. It had nothing important to do at the October session except settle some contested elections in Kent and Sussex counties, which had no connection with affairs of the Revolution, except that some of the lately disbanded soldiers were accused of intimidating voters. The war over, the State entered upon the work of repairing its ravages, and accommodating herself to the new conditions of peace under a republican form of government. By the services of her statesmen in council and her soldiers in the field she had borne a noble and illustrious share in the achievement of independence and the formation of the nation.²

CHAPTER XV.

FROM THE REVOLUTION TO THE WAR OF 1812-15.

THE treaty of peace with Great Britain was signed at Paris on the 20th of January, 1783, but it was not until January 14, 1784, that the defi-

² The following is a list of the invalid pensioners of the Revolution, belonging to the State of Delaware, in 1791, with the monthly allowance to each :

Edward Armstrong, Lieutenant.....	\$13 33 $\frac{1}{4}$
John Blaney, Private.....	3 00
John Brown, ".....	5 00
Richard Cogan, ".....	2 00
John Conner, ".....	2 50
Isaac Carvel, ".....	5 00
John Clifton, ".....	5 00
Patrick Dunn, Sergeant.....	6 00
Charles Dowd, Corporal.....	6 00
Jenkin Evans, Sergeant.....	5 00
Joseph Ferguson, Private.....	5 00
George Griffen, ".....	2 06 $\frac{3}{4}$
Risley Harlett, ".....	5 00
Thomas Holdston, ".....	5 00
Dennis Leary, ".....	6 00
Timothy Layfield, ".....	3 00
William McKennan, Captain.....	20 00
Thomas McGuire, Sergeant.....	5 00
James Murphy, Private.....	3 00
John McGill, ".....	2 50
John Pemberton, ".....	5 00
Andrew Pollard, ".....	6 00
John Peterson, ".....	6 00
Levin Pointer, ".....	6 00
William Redden, Sergeant.....	5 00
Joseph Sapp, Private.....	5 00
John Shelton, ".....	3 00
George Stewart, ".....	2 00
Thomas Shriver, ".....	6 00
Rich. Treasure, ".....	5 00
Thomas Wilson, Sergeant.....	4 00
Thomas Wet's, Private.....	6 00
John Whittington, ".....	2 00
Joseph McGibbon, ".....	5 00

nitive treaty of peace was ratified by Congress. The event was proclaimed in Delaware with every demonstration of joy; cannons were fired, towns illuminated and patriotic toasts drunk.

Although the formal ratification of Congress had been necessary to give full effect to the treaty of peace, the war had ceased on sea and land as early as the 12th of April, 1783, and the country was at length able to settle down to the full enjoyment of the benefits which the long and painful struggle had secured. Throughout the contest Delaware had borne her portion of the burden and heat of the day. In the darkest hours of the Revolution, though harassed by the intrigues of the Tories and the bickerings of the Whigs, the patriotic men who controlled her affairs in that stormy period responded nobly to the demands that were made upon them in both men and supplies. She was the scene of some of the most important acts that involved the gravest consequences to the struggling colonies, and that she played her part worthily cannot be denied.

At the beginning of the war "the counties of New Castle, Kent and Sussex on Delaware" were prosperous in material wealth, but at its close they were left impoverished and deeply in debt. But the war also found them dependent counties, and left them an organized, independent and sovereign republic, mistress henceforth of her own destinies, in the nation of States. The future was still doubtful before her. She was entering upon a strange and untried career, with new principles, new institutions, new duties and new perils; but, as we shall ere long see, she addressed herself to the task before her as resolutely as to that of conquering her freedom, and with no less success.

Congress, solicitous for the honor and interests of the nation, agreed in 1783 upon a measure, the object of which was "to restore and support public credit," by obtaining from the States "substantive funds for funding the whole debt of the United States." These funds were to be raised in part by duties on goods imported, and in part by internal taxation. To the amount necessary for this purpose, each State was to contribute in proportion to its population.

This measure was recommended to the several States, and the recommendation was accompanied by an address prepared by a committee, consisting of Mr. Madison, Mr. Hamilton and Mr. Ellsworth, urging its adoption by considerations of justice, good faith and the national honor. General Washington also, in a letter addressed to the Governors of the several States on the condition of public affairs, took occasion to add the weight of his influence to that of Congress in favor of the plan.

The General Assembly of Delaware was the first to respond to the "importance of the present

crisis," by passing an act on June 21, 1783, for raising £22,500 of gold and silver coin, as the quota called for by Congress, by resolution of October, 1782, of the \$2,000,000 required for the public service. It was assessed and taxed in the several counties in the following proportions: New Castle County, £8541 8s. 8d.; Kent County, £7500 and Sussex County, £6428 11s. 4d.

To Washington, Nicholas Van Dyke, the Governor, on July 2, 1783, reported the following proof of the zeal of his State for establishing the credit of the Union:

"The General Assembly of this State, in their late sessions, have fully adopted the views of Congress for establishing the credit of the Union, and rendering justice to creditors, both in the civil and military line, and the State which declines a similar conduct, in my opinion, must be blind to the united interest, in which that of the individual States are inseparably connected.

"Nothing can be plainer than that by a proper union these States are strong and respectable; the contrary condition will render them worse, if possible, than weak and despicable."

Although Delaware and some of the other States complied with the recommendation of Congress, it did not receive the assent of all the States.

On the same day that Delaware complied with the Federal requisition she authorized her delegates in Congress to ratify the alteration of part of the eighth article of the "Confederation and Perpetual Union," which provided "that all charges of war and all other expenses that have been or shall be incurred for the common defense or general welfare" shall be defrayed by the United States "out of a common treasury." Another act was passed at this session "for the auditing and arranging the accounts of this State, and for the more effectual settlement of the same."

Before the dissolution of the army on the Hudson, General Knox suggested, as a mode of perpetuating the friendships which had been formed, the formation of a society composed of the army. The suggestion met with universal concurrence and the hearty approbation of Washington. In pursuance of the suggestion of General Knox, a branch of the Society of the Cincinnati was formed in Wilmington. In 1801 the members were Colonels Robert Kirkwood, Henry Duff, Allen McLane, Joseph Vaughan, Caleb Bennett, Doctors James Tilton, George Monro, J. Mayo, D. J. Adams, Thomas Kean, J. Moore, J. Hyatt, J. Hosman, C. Kidd, S. McWilliams, J. Driskell, John Jones, R. Gilder, Major Jaquett, and J. Platt. The society continued in Wilmington for over a half-century and then ceased to exist.¹

On the 24th of April, 1783, Congress again called upon the States for sums of money sufficient to make up the deficiency of one-half of \$8,000,000 called for under the acts of October 13, and November 4, 1781, for the purpose of paying the arrears

¹ The Patriotic Society was formed in Wilmington, in 1792, by officers and soldiers of the Revolution. In 1797 Dr. James Tilton was president, George Monro, secretary and Alexander Harvey, treasurer. The society had fifty members, and met in the old Academy.

of interest due on the debts of the United States to the end of 1783, and for the public service for 1784. The quota required of Delaware was \$56,042. She had already made provision for \$32,000, and on June 26, 1784, the General Assembly passed an act providing for the remaining \$24,042 by taxation in the several counties. Under this act, James Delaplain of New Castle County, John Clayton of Kent, and Levin Derrickson of Suffolk County were appointed collectors. The assessment for New Castle County was £9000; Kent County, £7875; and for Sussex County, £6750.

"To prevent vexatious prosecutions and suits against such as acted in this state for the defense of the liberties of America," the Legislature passed an act on the 26th of June.

On February 5, 1785, John Stockton of New Castle County, Simon Wilmer Wilson of Kent, and Joseph Hall of Sussex County were appointed trustees of the loan offices of their respective counties, under an act "for calling in and destroying such of the bills of credit emitted by virtue of any law of this State." Under this act the State called in all its outstanding bills of credit, whether emitted before or since the Declaration of Independence, with orders for redeeming them at the rate of one pound for seventy-five. After six months they would cease to be redeemable.

To fulfill the obligations of the State to its officers and soldiers for their services during the Revolution, the General Assembly, on February 3, 1787, passed "an act for the support of non-commissioned officers, private soldiers, warrant officers, marines and seamen, citizens of this State, who, in the course of the late war, had been maimed, or disabled from getting a livelihood."

On June 4, 1785, an act was passed for the "suppression of public marts or fairs." The preamble to this act recites that

"Whereas, there are divers fairs held at several places in the counties of New Castle and Kent, within this State, some of them by ancient charter or letters patent, granted by the then Proprietaries and Governors of this State and others under subsisting laws of this State. And Whereas, It appears to this General Assembly, that the free-holders and inhabitants of the respective places in which such fairs have been held, by virtue of such charters, letters patent and subsisting laws as aforesaid, have, under colour and pretext of such charters, letters patent and subsisting laws, held fairs for very different purposes from those mentioned in such charters, letters patent and subsisting laws, and have misused the franchises and liberty thereby granted to them, by permitting strangers, as well as many of the inhabitants of this State, to set up and keep booths and stalls at the holding of the said fairs, for the sale of strong liquors and other superfluities; by reason whereof, many imprudent persons, more especially servants and young people, are tempted and induced to purchase those liquors, and to use them to excess, and to lay out large sums of money for many articles that are of no real use or benefit; quarrels are excited and almost every species of vice and immorality is practiced, to the scandal of religion and the grief and annoyance of the virtuous part of the community. And Whereas, The original purpose and intention of holding fairs has long since been done away by the numerous stores that are kept in every part of the country, and the ready market there is for all the produce of the State, and a respectable number of the inhabitants of the said counties, and places where such fairs are held, having by their petitions to the General Assembly, humbly prayed that a law be passed for the repeal of such charters, letters patent or laws of the State, and for relief in the premises."¹

The act repealed all charters for holding fairs and imposed a penalty of ten pounds for all persons holding fairs afterwards.

At the same session an act was passed appointing James Delaplain of New Castle County, Joseph Taylor of Kent and Nathaniel Mitchell, of Sussex County collectors in their respective counties to raise ten thousand five hundred pounds to pay the interest due to the officers and soldiers of the Delaware regiment, and for defraying other expenses of the State.

In 1786 acts were passed for the encouragement of commerce by establishing certain free ports within the State, and to vest in Congress for fifteen years powers to regulate commerce. About the same time the State incorporated "the president, directors and company of the Bank of North America," and provided for the appointment of "rangers and regulation of strays."

In September, 1777, the British army, in its march through New Castle County, carried off the seals of the county, and as all the seals in the counties contained arms or devices unsuitable "to our present government as an independent State," the General Assembly, on February 2, 1786, passed "an act for devising and establishing seals" for the officers in the respective counties.

At the same time the General Assembly passed "an act to prevent the exportation of slaves," under heavy penalties. A supplement to this act was passed February 3, 1789.

The matter of the improvement of the navigation of the Delaware was a matter of peculiar interest to the inhabitants of Delaware and Pennsylvania at this time, and a movement was set on foot to erect piers at Marcus Hook for the protection of vessels during storms. A lot was also purchased at Cape May "with the view of erecting a beacon thereon," but this site was

depot in Wilmington, in the early days of the town, there was a beautiful square, a town common, sloping down to the river where the shipping was done and a row of noble walnut trees stood, with staples driven into their trunks to fasten boats to. It was covered with a carpet of rich grass, and shaded by weeping-willows and Lombardy poplar trees. This was the prominent resort for old and young, and where the annual fairs, the event of the year, second in importance not even to the King's birthday, were held. They are thus described by Benjamin Ferris:

"At these fairs there was always a large assemblage, a joyous mingling of lookers-on and performers. The musical instruments were the violin, bugle, flute, fife, bagpipe and banjo. There was dancing, too, and many a sober one took a peep at the Swedish lads and lasses dancing hyssy-saw. Fair-days were merry days, and moonlight nights were chosen. About the year 1765 the country people were supplied with spring and fall goods at these fairs, held in the town, and attended by young and old. Some went to buy, others for fun and frolic. On a fine day young men came by hundreds, with a lass alongside. Their shirt sleeves were nicely plaited and crimped as high as the elbow, above which they were tied with a colored tape or ribbon, called sleeve-strings. Their coats were tied behind the saddle. They wore their soled shoes for dancing, and two pairs of stockings, the inside ones white, and the outer ones blue yarn, the top rolled neatly below the breeches' knee-band to show the white, and guard them from the dirt of the horses' feet. Boots were not worn at the time; a man booted and covered with an umbrella would have been exposed to scoffs. At those fairs stalls were erected in the streets. From the upper market down, dry-goods of great variety were displayed, and there were plenty of customers who saved money to make purchases at the fairs."

¹ Near the present Philadelphia, Wilmington and Baltimore Railroad

afterwards declared unsuitable, and a beacon was placed on Crow's Shoal.

On February 3, 1787, the State granted to John Fitch "the sole and exclusive right and advantage of making, conducting and employing the steamboat, by him lately invented, for a



JOHN FITCH'S FIRST STEAMBOAT.

limited time." At the same time the Legislature incorporated all the religious denominations in the State.

In June, 1786, the State invested Congress with the power to levy duties upon all goods, wares and merchandise imported in the Delaware from Europe for a limited time, and to establish a fund for the payment of interest on the public debt.

Virginia, on the 21st of January, 1786, passed a resolution proposing a convention of commissioners from all the States, to take into consideration the state of trade, and the expediency of a uniform system of commercial regulations for their common interest and permanent harmony. The commissioners met at Annapolis, Maryland, on September 11, 1786, and continued in session three days. Delaware was represented by George Read, John Dickinson and Richard Bassett.

The convention was organized by the selection of John Dickinson as president. In consequence of only five States being represented, the convention framed a report, to be made to their respective States, and also to be laid before Congress, advising the calling of a general convention of deputies from all the States, to meet in Philadelphia, on the second Monday in May, 1787, for a more extensive revision of the Articles of Confederation.

Immediately upon receipt of the report of the Annapolis convention, the General Assembly of Delaware decided to join with the deputies of the other States "in devising and discussing all such alterations and further provisions as may be necessary to render the Federal Constitution adequate to the exigencies of the Union," and for this purpose, on February 3, 1787, passed the following:

"An act appointing Deputies from this State to a convention, proposed to be held in the city of Philadelphia, for the purpose of revising the Federal Constitution.

"Whereas, The General assembly of this State are fully convinced of the necessity of revising the Federal constitution, and adding thereto

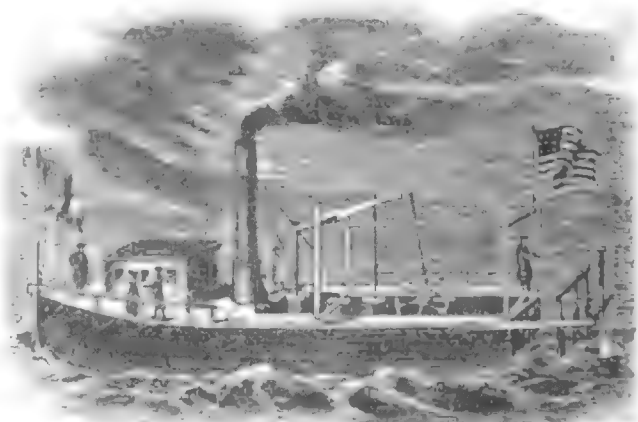
such further provisions as may render the same more adequate to the exigencies of the Union; And, whereas, The Legislature of Virginia have already passed an act of that commonwealth, appointing and authorizing certain commissioners to meet at the city of Philadelphia, in May next, a Convention of Commissioners or Deputies from the different States; and this State being willing and desirous of co-operating with the commonwealth of Virginia, and the other States in the confederation, in so useful a design,

"SECTION 1. Be it therefore enacted by the General Assembly of Delaware, That George Read, Gunning Bedford, John Dickinson, Richard Bassett and Jacob Broom, Esquires, are hereby appointed Deputies from this State to meet in the Convention of Deputies of other States, to be held at the city of Philadelphia, on the second day of May next. And the said George Read, Gunning Bedford, John Dickinson, Richard Bassett and Jacob Broom, Esquires, or any three of them, are hereby constituted and appointed Deputies from this State, with Powers to meet such Deputies as may be appointed and authorized by the other States to assemble in the said convention at the city aforesaid, and to join with them in devising, deliberating on and discussing such alterations and further provisions as may be necessary to render the Federal Constitution adequate to the exigencies of the Union; and in reporting such act or acts for that purpose to the United States, in Congress assembled, as when agreed to by them, and duly confirmed by the several States, may effectually provide for the same; so always and provided that such alterations, or further provisions, or any of them, do not extend to that part of the fifth article of the confederation of the said States, finally ratified on the first day of March, in the year One Thousand Seven Hundred and Eighty-one, which declares that in determining questions in the United States, in Congress assembled, each State shall have one vote.

"SECTION 2. And be it enacted, That in case any of the said Deputies, hereby nominated, shall happen to die or to resign his or their appointment, the president or Commander-in-Chief, with the advice of the Privy Council, in the recess of the General Assembly, is hereby authorized to supply such vacancies."

The convention assembled in Philadelphia, at Independence Hall, on the 25th of May, 1787, and on motion of Robert Morris, of Pennsylvania, was organized by the selection of George Washington as president. It is foreign to the province of this work to relate circumstantially the proceedings of this convention. It is only necessary to say that its sessions were continued for four months, that its debates were spirited, and the opposition vehement, and that in more than one instance there was danger of a dissolution without the accomplishment of the business for which it had assembled.

The whole number of delegates who attended



JOHN FITCH'S SECOND STEAMBOAT.

the convention was fifty-five, of whom thirty-nine signed the Constitution. Of the remaining sixteen, some had left the convention before its close; others refused to give it their sanction. Several of the absentees were known to be in favor of the Constitution.

The convention dissolved on the 17th of September, and the draft of a Constitution was imme-

diately transmitted to Congress, with a recommendation to that body to submit it to State conventions for ratification, which was accordingly done. The Legislature of Delaware met on the 24th of October, and following "the sense and desires of great numbers of the people of the State, signified in petitions to their general assembly," "adopted speedy measures to call together a convention." It assembled at Dover, in the first week in December, and ratified the Constitution on the 7th, being the first State to give its approval. As will be seen, the constituent body encountered no difficulty in giving its assent to the Federal Constitution, but it was difficult to find language strong enough to express its joy in what had been done.

The official notification of the adoption of the Constitution by Delaware is as follows :¹

"We, the deputation of the people of Delaware State, in convention met, having taken into our serious consideration the Federal Constitution, proposed and agreed upon by the Deputies of the United States, in a General Convention, held at the city of Philadelphia on the Seventeenth day of September, in the year of our Lord 1787, have approved, assented to, ratified and confirmed, and by these presents do, in virtue of the power and authority to us given for that purpose, for and in behalf of our constituents, fully, freely and entirely approve of, assent to, ratify and confirm the said convention.

"Done in convention at Dover, this seventh day of December, in the year aforesaid and in the year of the Independence of the United States of America, the Twelfth, in testimony whereof we have hereunto subscribed our names.

"I, Thomas Collins, President of the Delaware State, do hereby certify that the above instrument of writing is a true copy of the original ratification of the Federal constitution by the convention of the Delaware State, which original ratification is now in my possession. In testimony whereof I have caused the seal of the Delaware State to be hereunto affixed.

"THOMAS COLLINS."

The Constitution having been ratified by the requisite number of States, Congress, on the 13th of September, 1788, passed a resolution appointing the first Wednesday of January, 1789, as the time for choosing electors of President, and the first Wednesday of February for the electors to meet in their respective States to vote for President and Vice-President; and the first Wednesday, the 14th of March, as the time, and New York as the place, to commence proceedings under the new Constitution.

In compliance with this resolution, the General Assembly of Delaware, in June, 1788, passed "an act directing the time, places and manner of holding an election for a Representative of this State in the Congress of the United States; and for appointing electors, on the part of this State, for choosing a President and Vice-President of the United States."²

The first constitutional election for a Representative to Congress and electors for President and Vice-President took place in January, 1788, and resulted in the election of John Vining as the first Representative to Congress, and Gunning Bedford,

George Mitchell and John Banning as Presidential electors. In the electoral college the three votes of Delaware were cast for George Washington for President, and John Jay for Vice-President. Washington took the oath of office and entered upon its duties April 30, 1789. John Adams, elected Vice-President, entered upon his duties in the Senate April 21, 1789, and took the oath of office on June 3d of the same year. Dr. Joshua Clayton, father of Chief Justice Thomas Clayton, was elected Governor of Delaware in 1789, and served until 1796. George Read and Richard Bassett were the first United States Senators from this State.

Washington left Mount Vernon on the 16th of April, 1789, and his progress to New York was a continued ovation. At Wilmington and every large town and village that he passed through he was saluted with the most joyous acclamations. Deputations met him all along the route and formed escorts and processions. At Wilmington, on his arrival and departure, his carriage was attended by a numerous cavalcade of citizens, and he was greeted by ringing of bells and salvos of artillery.³

¹ The visit of General Washington on December 16, 1783, soon after the close of the Revolution, was an event of great historic importance. Peace had lately been declared, and the American cause had triumphed. All eyes turned to Washington as the liberator of his country, and his arrival in any town or city in the Union was the occasion of a public ovation. Wilmington was the home of a number of distinguished patriots who, on the field of battle or in the halls of legislation, had nobly defended their country's rights through seven long years of war, and they rendered this visit memorable by their enthusiasm towards their illustrious chief. An address supposed to have been written by Jacob Broom, afterwards one of the framers of the Constitution of the United States, was presented to the distinguished visitor, and he responded as follows:

"To the Burgesses and Common Council of the Borough of Wilmington:

"GENTLEMEN,—I earnestly wish to convince you of the pleasure I take in reciprocating your congratulations on our glorious success, and the attainment of an honorable peace. Although the prospect of our public affairs has been sometimes gloomy indeed, yet the well-known firmness of my countrymen and the expected aid of Heaven supported me in the trying hour, and have finally realized our most sanguine wishes. In the course of your address you have sufficiently convinced me of your ability to excite very pleasing emotions; and you must permit me to say that the genuine approbation of my fellow-citizens is far more satisfactory than the most lavish encomiums would be.

"Under a deep impression of your generous sentiments and wishes I return to a long meditated retirement. And let me assure you, gentlemen though I shall no more appear on the great theatre of action, the welfare of our infant States can never be indifferent to me.

"GEORGE WASHINGTON.

"Wilmington, December 16, 1783."

General Washington also passed through Wilmington on his way from his home at Mount Vernon to New York, immediately before his first inauguration as President of the United States, in that city, on April 4, 1789. Referring to this visit, Miss Montgomery says:

"I well remember the crowds of people rushing on to the Baltimore Road to catch a glimpse of him as he passed with a company. I was at an elevated spot on Quaker Hill. It was a day of great rejoicing; all was in a tip-toe of expectation when Washington in his chariot appeared driving slowly through the crowd. With hat in hand, he bowed to the admiring people, who responded by waving handkerchiefs and enthusiastic cheers. Every eye flashed with delight, and joy was imprinted on every brow."

Joseph Tatnall was a devoted patriot, and before and after the battle of Brandywine, at the risk of the destruction of his mill, was day and night grinding wheat and corn into flour for the American army. Gen. Washington and other officers stopped with him during the encampment of the army near Wilmington, and Friend Tatnall's patriotism was known far and near. While President of the United States, Philadelphia then being the capital, Washington frequently passed through Wilmington on his way to and from Mount Vernon. On his famous tour through the Southern States in 1791, he traveled in an elegant chaise, stopped in

¹ The first ten amendments were adopted by Delaware January 18, 1790.

² On October 26, 1790, the Legislature passed an act directing the election of a Representative in Congress and regulating the elections.

Among the most important measures considered by the first Congress was the proposition of the government to assume the payment of the debts of the States. The question created some controversy, but a resolution to assume the State debts was finally carried by a vote of thirty-one to twenty-six. Of the debts of the States \$21,500,000 were assumed, in specific sums from each State, regard being had to the amount of indebtedness of each. A board, consisting of three commissioners, was constituted to settle the accounts between the States and the United States. The amount of the indebtedness of Delaware was \$2,000,000, and when the United States assumed a portion of this it relieved the State of a very heavy burden.

In the mean time, in January, 1791, the State made provision for "fitting up and preparing chambers in the new court-house in the town of Dover, for the accommodation and reception of the General Assembly." The Legislature appointed Eleazer McComb, James McClement, John Clayton, James Sykes, Jr., and John Patten managers of a lottery to raise one thousand pounds to defray the expense. At this session Geo. Mitchell, Robert Houston, William Moore, John Collins, Nathaniel Young, William Peery, Rhoads Shankland, Woodman Stockley, Daniel Polk and Thomas Batson were appointed commissioners to purchase for the use of Sussex County one hundred acres of land at a place called James Pettijohn's Old Field, situated in Broadkill Hundred, for the purpose of building a court-house and prison for Sussex County. They were authorized to build the public buildings mentioned, and when approved by John Gordon, John Ralston, Andrew Barratt, Joseph Barker and Peter Lowber, they were authorized to remove the county-seat from Lewes, and sell the old court-house and prison. This act was complied with within the year.

In 1791 an expedition against certain tribes of Western Indians was decided upon under the command of General St. Clair. The troops assembled in the vicinity of Fort Washington (now Cincinnati) early in September, and on the 14th of November, after penetrating to a tributary of the Wabash, fifteen miles south of the Miami villages, and almost a hundred from Fort Washington, they were fiercely attacked by a large number of Indians. For two hours and a half the Indians, concealed in the woods, slaughtered the troops from every point, when they fled in disorder, leaving their artillery, baggage, etc., in the hands of the

front of Joseph Tatnall's house, entered the yard and knocked at the door. Mrs. Tatnall answered the call, and upon recognizing her distinguished guest asked him into the house. Mr. Tatnall being in the mill, the President preferred calling on him there. After a friendly greeting and a view of the large mill, the two gentlemen repaired to the house. By this time a large crowd of men and boys had been attracted by General Washington's presence, and they watched his movements with evident interest.

savages. The entire loss was estimated at six hundred and seventy-seven killed, including thirty women, and two hundred and seventy-one wounded. Captain Kirkwood, who commanded the Delaware line in the Southern Department during the Revolution, and several other Delawareans were killed.

On January 29, 1791, the State ceded to the United States the light-house in Sussex County, near the entrance to Delaware Bay, the public piers opposite to Reeden Island, near the town of Port Penn, in New Castle County, together with all the lands and appurtenances thereto belonging.

In February, 1792, an act was passed for the better relief of the poor in the various counties, and Samuel Hollingsworth, James Cooper and David Thomas were appointed additional trustees for New Castle County.

The State Constitution of 1776 contained a clause reciting that "no other part of this Constitution shall be altered, changed or diminished, without the consent of five parts in seven of the Assembly and seven members of the Legislative Council." On September 8, 1791, the General Assembly, by resolution, called a new constitutional convention and provided for the election of its members by the people. The election resulted in the selection of the following delegates to the convention:

Thomas Montgomery, John Dickinson, Robert Armstrong, Edward Roche, William Johnson, Robert Haughey, George Monro, Robert Carom, Kensey Johns, Nicholas Ridgely, John Clayton, Thomas White, Manlove Emerson, James Morris, Richard Bassett, Benjamin Dill, Henry Molliston, Andrew Barratt, Isaac Cooper, George Mitchell, John W. Batson, Rhoads Shankland, Isaac Beauchamp, Daniel Polk, James Booth.

The convention assembled at Dover, on Tuesday, November 29, 1791, and elected John Dickinson, president; James Booth, secretary; Charles Nixon, assistant secretary. The convention deliberated until December 31st, when the draft of a Constitution was submitted, and ordered printed. The convention then communicated the results of its labors to the General Assembly, and adjourned to Tuesday, May 29, 1792.¹

On reassembling after recess, President Dickinson resigned, owing to ill health, and Thomas Montgomery was elected to succeed him. The convention adjourned finally on June 12, 1792.

The new Constitution was never put before the

¹On December 22, 1791, Warner Mifflin presented a paper asking the convention to abolish slavery, and to exempt persons from military duty who were opposed to war from religious principles.

During the recess of the convention James Sykes, of Kent County, died, and Andrew Barratt was elected to fill the vacancy.

On May 30th a delegation of Friends presented an address to the convention asking it to insert two provisions in the new constitution: giving the privilege of freedom from military duty where conscience interfered and that slavery be abolished. It was signed in behalf of the meeting of the representatives of Friends in New Jersey, Pennsylvania and Delaware, and eastern parts of Maryland and Virginia, held in Philadelphia, Fifth Month, 23d day, 1792, James Pemberton, clerk. The convention adopted a resolution that they would consider the address; but refused, on June 12th, to put in a provision respecting slavery.

people for ratification, but was adopted by the State. It vested the legislative power of the State in a Senate and House of Representatives, having the same number of members as provided by the Constitution of 1776.

The supreme executive powers of the State were vested in a Governor, who was to continue in office for three years. The Governor was to be commander-in-chief of the army and navy of the State, and of the militia, except when called into the service of the United States. He also held the appointing power for all offices established by the Constitution or by law, except those whose appointments were otherwise provided for.

In the case of the death of the Governor it was provided that the Speaker of the Senate should exercise the office of Governor, and upon the death or resignation of the Speaker of the Senate the Speaker of the House of Representatives should exercise the office until a Governor was elected.

The judicial powers of the State were vested in a Court of Chancery, a Supreme Court and Courts of Oyer and Terminer and General Gaol Delivery, in a Court of Common Pleas and in an Orphans' Court, Register's Court and Court of Quarter Sessions of the Peace for each county, and in justices of the peace.

Article VII. provided for "the High Court of Errors and Appeals" to consist of the chancellor and judges of the Supreme Court and Court of Common Pleas, over which court the chancellor should preside.

Article X. provided that the people may call a convention to make or amend the Constitution by a majority vote of the people, qualified to vote for representatives; the Legislature, at the next session thereafter, to call a convention. The Constitution of 1792 continued in force until 1831, when it was amended as it at present exists.

The Presidential election which occurred in 1792 resulted in the choice of James Sykes, Gunning Bedford and William H. Wells for Presidential electors. They cast their votes for George Washington for President, who was unanimously elected. John Adams also was re-elected Vice-President, having received the three votes of Delaware, and seventy-seven in all.

Hon. George Read, as has been stated, began his services in the United States Senate on March 4, 1789, and his term of service expired March 3, 1791. He was continued March 4, 1791, and resigned in September, 1793, to accept the office of the chief justice of Delaware, to which he was appointed by Governor Clayton. William Killen was appointed chancellor at the same time. Kensey Johns was appointed United States Senator on March 19, 1794, to succeed Mr. Read, resigned, and at the ensuing session of the Legislature, on February 7, 1795, Henry Latimer was elected

to fill the vacancy. His term of service expired on March 3, 1797, when he was re-elected and continued to serve until he resigned, February 28, 1801, when Samuel White was appointed by the Governor to fill the vacancy. The Legislature elected John Vining to succeed Mr. Bassett, whose term of service in the United States Senate expired March 3, 1793. Mr. Vining's term of service began March 4, 1793. He resigned in 1798, and on January 19th, Joshua Clayton was appointed to succeed him. Mr. Clayton died in August, 1798, and on January 17, 1799, William Hill Wells was elected to fill the vacancy. He resigned in 1804, and on November 13th, James A. Bayard was elected by the Legislature to fill the vacancy. He served in the United States Senate until 1813, when he resigned, and on May 28th, William H. Wells was elected in Mr. Bayard's place.

In 1796 a change took place in the Federal administration. Thomas Robinson, Isaac Cooper and Richard Bassett were chosen electors, and in the electoral college cast their votes for John Adams for President, and Thomas Pinckney, of South Carolina, for Vice-President. Mr. Adams and Jefferson¹ were chosen President and Vice-President, and Gunning Bedford was elected Governor of the State. He died at New Castle, September 30, 1797, and was succeeded by Richard Bassett.

In February, 1795, John Wise Barton, Thomas Laws, Isaac Cooper, Nathaniel Mitchell and John Collins were appointed managers of a lottery to raise three thousand five hundred dollars for the purpose of reimbursing the subscribers for the erection of the court-house and jail in Sussex county. The State also paid Thomas McKean £173 6s 11d., being a balance due him for public services rendered to Delaware as a delegate in Congress.

The Legislature, on the 9th of February, 1796, incorporated the Bank of Delaware, with a capital stock of \$500,000, being the first institution of the kind in the State. The bank was to be in Wilmington, and the charter limited its operations to fifteen years.

The first act for the establishment of public schools was also passed by the Legislature of 1796. By the provisions of the law, all money paid into the treasury for marriage and treasury licenses from 1796 to 1806, was to be appropriated as a fund under the direction of the Legislature for establishing schools in the State. The State treasurer for the time being was constituted trustee of the

¹ The *Delaware Watchman* announced the arrival in Wilmington, on Tuesday evening, May 12, 1797, of "Thomas Jefferson, Vice-President of the United States. He left the next morning for the seat of government." John Adams was then the national executive, and Philadelphia the capital. Mr. Jefferson was the guest of Patrick O'Flinn, who kept a public inn southeast corner of Market and Third Streets.

fund, and was authorized to receive gifts, donations, bequests, etc. for the purpose of establishing schools, and the public faith was pledged for its application. When the money in the treasury arising from marriage or tavern licenses, gifts and bequests amounted to sufficient to enable the treasurer to purchase a share in either the Banks of Delaware, the United States, of Pennsylvania, or of North America, he should apply the money committed to his hands for this purpose. The school fund was to be applied to the establishment of schools in the several hundreds, or districts of the respective counties, "for the purpose of instructing the children of the inhabitants thereof in the English language, arithmetic and such other branches of knowledge as are most useful and necessary in completing a good English education." It was further directed that the fund should not be applied "to the erecting or supporting any academy, college or university in this State." By the act of January 24, 1797, the trustee was directed to sell the stock heretofore purchased, and to subscribe for bank shares reserved for the State. It was also enacted that the money arising from marriage and tavern licenses should first be applied to the payment of the salaries of the chancellor and judges, and the remainder of the fund was to be appropriated for the establishment of schools. The money applied to the payment of salaries was to be replaced by sales of vacant lands in the State and money arising from arrearage taxes. At the session of 1797, Jacob Broom was authorized to raise by way of lottery the sum of four thousand dollars, to enable him to erect and re-establish his cotton factory near Wilmington, which was destroyed by fire. At the same session James Booth, George Read, Jr., Nicholas Van Dyke, Archibald Alexander and John Crow were appointed commissioners to establish the boundaries of the town of New Castle, and lay out, open, regulate and name the streets, lanes and alleys within the town.

The yellow fever broke out in Philadelphia in August, 1797, and soon ravaged the city. It caused a general exodus of its inhabitants, and many merchants transferred their business to Wilmington. In August sixteen Philadelphia firms who had opened their stores in Wilmington announced that they were prepared to sell their goods and merchandise. The epidemic continued until about the 1st of November, the number of deaths from the disease being 1292.

The "Alien and Sedition Laws" passed by Congress in 1798 created the greatest excitement throughout the United States, and contributed more, probably, than any other cause, to the overthrow of the Federal party in 1800. These laws gave birth to the celebrated Virginia and Kentucky resolutions of 1798 and 1799, and to the

doctrine of nullification. Neither the Virginia resolutions, though accompanied by an address in support of them, written by Mr. Madison, nor those of Kentucky met with a favorable response in any other State. By the Legislatures of Delaware, New York and the New England States they were expressly disapproved. The official answer of Delaware to the Virginia resolutions was as follows:

"In the House of Representatives, Feb'y 1, 1799.

"Resolved, By the Senate and House of Representatives of the State of Delaware, in General Assembly met, that they consider the resolutions from the State of Virginia as a very unjustifiable interference with the General Government and constituted authorities of the United States, and of dangerous tendency, and therefore not fit subject for the further consideration of the General Assembly.

"ISAAC DAVIS, Speaker of the Senate.

"STEPHEN LEWIS, Speaker of the house of rep's.

"Test, JOHN FISHER, C. S.

JOHN CALDWELL, C. H. R."

As the Presidential election was to take place in the fall of 1800, the political writers of the day vented their spleen against the different candidates. The Federalists presented the names of President Adams and Charles Cotesworth Pinckney, and the Democrats (or Republicans, as they were then called) nominated Thomas Jefferson and Colonel Aaron Burr. The contest was carried on with a vigor and bitterness hardly surpassed, if equaled, in any political campaign since. Messrs. Kensey Johns, Nathaniel Mitchell and Samuel White, Federalists, were chosen electors for President and Vice-President and they cast their ballots for the Federalist nominees, Adams and Pinckney. In the electoral college, Thomas Jefferson and Aaron Burr, the Republican candidates, had each received 73 votes. The two Federal candidates had received, John Adams, 65, and Charles C. Pinckney, 64—one vote having been given to John Jay. The votes for Jefferson and Burr being equal, the House of Representatives, voting by States, had to determine the election, a crisis which produced unusual excitement. There being now sixteen States in the Union, the vote of nine States was necessary to a choice, which, after a tedious balloting, was at length obtained by Mr. Jefferson. The balloting began on the 11th of February, 1801, and continued about a week, Jefferson receiving the votes of eight States—New York, New Jersey, Pennsylvania, Virginia, North Carolina, Georgia, Kentucky and Tennessee. Burr received the votes of six States—New Hampshire, Massachusetts, Rhode Island, Connecticut, Delaware and South Carolina. Vermont and Maryland were equally divided. Had all the Federal members voted for Burr,¹ he would have had a plurality of the States. The division of Maryland was caused by one of the Federal representatives voting for Jefferson in

¹ AARON BURR, when Vice-President of the United States, during the administration of Thomas Jefferson, was a sojourner at Captain Patrick O'Flynn's tavern, then called the Happy Retreat, the southeast corner of Third and Market Streets, Wilmington. He arrived January 10, 1801, and left three days later in his private chaise drawn by two black horses, en route to Washington, which had been made the capital of the United States three years prior to this time.

conformity with the wishes of his constituents; and the single member from Georgia, a Federalist (his colleague having died), did the same; as did also one of the North Carolina members; but for which this State would have been divided, which would have given Burr eight States, Jefferson six, and leaving Vermont and North Carolina without a vote. By the absence of Morris, of Vermont, a Federalist, and by Craik and Baer, of Maryland, also Federalists, casting blank ballots, the thirty-sixth ballot gave Jefferson ten States.

It was this election which led to the change in the mode of electing president and vice-president, by the adoption of the twelfth article of amendments.

Connected with the history of this election are certain statements which involve the honor and veracity of certain distinguished gentlemen. The design was charged upon the Federalists of standing out and preventing an election, and of passing an act to vest the executive authority in some high officer of the government. Mr. Jefferson, in a letter of the 15th of February, wrote to Mr. Monroe as follows:

"Four days of balloting have produced not a single change of a vote. Yet it is confidently believed that to-morrow there is to be a coalition. I know of no foundation for this belief. If they could have been permitted to pass a law for putting the government into the hands of an officer, they would certainly have prevented an election. But we thought it best to declare openly and firmly, one and all, that the day such an act passed, the middle states would arm, and that no such usurpation, even for a single day, should be submitted to. This first shook them; and they were completely alarmed at the resource for which we declared, to wit, a convention to reorganize the government and to amend it. The very word *concession* gives them the horrors, as, in the present democratical spirit of America, they fear they should lose some of the favorite morsels of the constitution. Many attempts have been made to obtain terms and promises from me. I have declared to them unequivocally that I would not receive the government on capitulation; that I would not go into it with my hands tied."

Among the persons implicated in this charge, was James A. Bayard, of Delaware, afterward senator in Congress, and one of the commissioners who negotiated the treaty of peace with Great Britain in 1814. Mr. Bayard, who is universally conceded to have maintained through life a character unblemished and above suspicion, in exculpation of himself, made a deposition, April 3, 1806, of which the following are extracts:

"Messrs. Baer and Craik, members of the house of representatives from Maryland, and General Morris, a member of the house from Vermont, and myself, having the power to determine the votes of the states, from similarity of views and opinions, during the pendency of the election, made an agreement to vote together. We foresaw that a crisis was approaching which might probably force us to separate in our votes from the party with whom we usually acted. We were determined to make a president, and the period of Mr. Adams' administration was rapidly approaching.

"In determining to recede from the opposition to Mr. Jefferson, it occurred to us, that, probably, instead of being obliged to surrender at discretion, we might obtain terms of capitulation. The gentlemen whose names I have mentioned authorized me to declare their concurrence with me upon the best terms that could be procured. The vote of either of us was sufficient to decide the choice. With a view to the end mentioned, I applied to Mr. John Nicholas, a member of the house from Virginia, who was a particular friend of Mr. Jefferson. I stated to Mr. Nicholas that if certain points of the future administration could be understood and arranged with Mr. Jefferson, I was authorized to say that three states would withdraw from an opposition to his election. He asked me what those points were: I answered, First, sir, the support of the public credit; secondly, the maintenance of the naval system;

and lastly, that subordinate public officers employed only in the execution of details, established by law, shall not be removed from office on the ground of their political character, nor without complaint against their conduct. I explained myself, that I considered it not only reasonable, but necessary, that offices of high discretion and confidence should be filled by men of Mr. Jefferson's choice. I exemplified, by mentioning, on the one hand, the offices of the secretary of the state, treasury, foreign ministers, &c.; and on the other, collectors of ports, &c. Mr. Nicholas answered me, that he considered the points very reasonable, that he was satisfied that they corresponded with the views and intentions of Mr. Jefferson, and he knew him well. That he was acquainted with most of the gentlemen who would probably be about him and enjoy his confidence, in case he became president, and that if I would be satisfied with his assurance, he could solemnly declare it as his opinion that Mr. Jefferson, in his administration, would not depart from the points I proposed. I replied to Mr. Nicholas, that I had not the least doubt of the sincerity of his declaration, and that his opinion was perfectly correct, but that I wanted an engagement, and that if the points could in any form be understood as conceded by Mr. Jefferson, the election should be ended; and proposed to him to consult Mr. Jefferson. This he declined and said he could do no more than give me the assurance of his own opinion as to the sentiments and designs of Mr. Jefferson and his friends. I told him that was not sufficient, that we should not surrender without better terms. Upon this we separated; and I shortly after met with General Smith, to whom I unfolded myself in the same manner that I had done to Mr. Nicholas. In explaining myself to him in relation to the nature of the offices alluded to, I mentioned the offices of George Latimer, collector of the port of Philadelphia, and Allen McLane, collector of Wilmington. General Smith gave me the same assurance as to the observance by Mr. Jefferson of the points which I had stated, which Mr. Nicholas had done. I told him I should not be satisfied, nor agreed to yield till I had the assurance of Mr. Jefferson himself; but that if he would consult Mr. Jefferson, and bring the assurance from him, the election should be ended. The general made no difficulty in consulting Mr. Jefferson, and proposed giving me his answer the next morning. The next day, upon our meeting, General Smith informed me that he had seen Mr. Jefferson, and stated to him the points mentioned, and was authorized by him to say that they correspond with his views and intentions, and that we might confide in him accordingly. The opposition of Vermont, Maryland and Delaware was immediately withdrawn, and Mr. Jefferson was made president by the votes of ten states."

In the "great debate" in the Senate, January, 1830, Mr. Hayne brought into the Senate the fourth volume of Jefferson's "Memoirs" for the purpose of reference. Certain other Senators called the attention of Mr. Clayton, of Delaware, to the following passage which they had discovered in the volume:

"February the 12th, 1801.—Edward Livingston tells me that Bayard applied to-day, or last night, to Gen. Samuel Smith, and represented to him the expediency of coming over to the states who vote for Burr; that there was nothing in the way of appointment which he might not command, and particularly mentioned the secretaryship of the navy. Smith asked him if he was authorized to make the offer. He said he was authorized. Smith told this to Livingston, and to W. C. Nicholas, who confirms it to me," &c.

Messrs. Livingston and Smith being at this time (1830) both members of the Senate, Mr. Clayton, in order to rescue the character of his deceased predecessor from unjust reproach, called upon the Senators from Louisiana and Maryland to disprove the above statement, both of whom declared that they had no recollection of such a transaction. In addition to this testimony, the sons of the late Mr. Bayard published a letter from George Baer, one of the Federal members from Maryland, in 1801, addressed to Richard H. Bayard, under date of April 19, 1830, in which Mr. Baer said:

"Previous to and pending the election, rumors were industriously circulated, and letters written to different parts of the country, charging the federalists with the design to prevent the election of a president, and to usurp the legislative power. I was privy to all the arrangements made, and attended all the meetings of the federal party when consulting on the course to be pursued in relation to the election, and I pledge my most solemn asseveration that no such measure was for a moment

contemplated by that party; that no such proposition was ever made; and that if it had ever been, it would not only have been discouraged, but instantly put down by those gentlemen who possessed the power, and were pledged to each other to elect a president before the close of the session.

"Although nearly thirty years have elapsed since that eventful period, my recollection is vivid as to the principal circumstances, which, from the part I was called upon to act, were deeply graven on my memory. It was soon ascertained that there were six individuals, the vote of any one of whom could at any moment decide the election. These were your father, the late James A. Bayard, who held the vote of the State of Delaware, General Morris, of Vermont, who held the divided vote of that State, and Mr. Crank, Mr. Dennis, Mr. Thomas and myself, who held the divided vote of Maryland. Your father, Mr. Crank and myself, having compared ideas upon the subject, and finding that we entertained the same views and opinions, resolved to act together, and accordingly entered into a solemn and mutual pledge that we would, in the first instance, yield to the wishes of the great majority of the party with whom we acted, and vote for Mr. Burr, but that no consideration should induce us to protract the contest beyond a reasonable period for the purpose of ascertaining whether he could be elected. We determined that a president should be chosen, but were willing thus far to defer to the opinion of our political friends, whose preference of Mr. Burr was founded upon a belief that he was less hostile to federal men and federal measures than Mr. Jefferson. General Morris and Mr. Dennis concurred in this arrangement."¹

The inauguration of Mr. Jefferson took place on the 4th day of March, 1801, at Washington City, the new seat of government, where it had been removed. Richard Bassett, who was Governor of Delaware at this time, was the first man who cast his vote (while United States Senator) for locating the seat of government on the Potomac.

The Chesapeake and Ohio Canal Company was fully organized in May, 1803, with Joseph Tatnall, of Delaware, as president, and William Tilghman, James C. Fisher, George Fox, Joshua Gilpin and others directors, with Messrs. Latrobe and Howard as surveyors.

At the Presidential election in 1805, Maxwell Bines, Thomas Fisher and George Kinnard were chosen electors, and they cast their votes for Charles C. Pinckney for President and Rufus King, of New York, for Vice-President. Messrs. Jefferson and George Clinton were elected President and Vice-President, Nathaniel Mitchell succeeding David Hall as Governor of the State.

The greatest mechanical improvement of the year 1805, in this country, was made by Oliver Evans, who was born in Newport, Delaware, in

1755, and was a descendant of Rev. Dr. Evan Evans, the first Episcopal minister of Philadelphia. While apprenticed to a wheelwright, Oliver Evans, at the age of twenty-one years, invented a machine for making card-teeth which superseded the old system of hand manufacture. Two years later he joined his brothers in the milling business in Philadelphia, and in 1787 obtained the exclusive right to use his improvement in flour-mills in Delaware, Maryland and Pennsylvania, with the exception of three mills at Stan-



OLIVER EVANS.

ton, Del. In 1799 he began the construction of a steam-carriage, but finding that it differed materially from the steam engines then in use, he applied it successfully to mills. In 1804 he constructed the first steam dredging-machine made in America. Speaking of this invention, Evans said afterwards:

"In the year 1804 I constructed at Philadelphia a machine, of my own invention, for clearing docks—a heavy and flat, with a steam-engine of the power of five horses in it to work the machinery. And, to show that both steam-carriages and steam-boats were practicable (with my steam-engines), I first put wheels to it and propelled it by the engine a mile and a half and then into the Schuylkill, although its weight was equal to that of two hundred barrels of flour. I then fixed a paddle-wheel at the stern, and propelled it by the engine down the Schuylkill and up the Delaware—station miles—leaving all the vessels that were under sail full half-way behind me (the wind being ahead), although the application was a temporary one to produce great friction, and the flat was most fitly formed for sailing; done in the presence of thousands."

Before the boat was taken to the water the inventor exhibited it upon the circular road at Centre Square and published the following advertisement in the *Philadelphia Gazette*:

"TO THE PUBLIC: In my first attempt to move the *Grubbe Amphibol*, or Amphibious Ligger, to the water by the power of steam, the

¹ The following letter from James A. Bayard, the authenticity of which was not denied at the time of its publication, is taken from *Niles' Weekly Register* of November 16, 1824:

"WASHINGTON, 17th February, 1801.

"Dear Sir:—Mr. Jefferson is our president. Our opposition was continued till it was demonstrated that Burr could not be brought in, and even if he could, he must come in as a democrat.

"In such case, to evidence his sincerity, he must have swept every office in the United States. I have direct information that Mr. Jefferson will not pursue that plan. The New England gentlemen came out, and declared they would go without a consultation and take the risk of a civil war. They agreed that those who would not agree to incur such an extremely ought to recede without loss of time. We pressed them to go with us and preserve unity in our measures.

"After great agitation and much heat, all agreed but one. But in consequence of his standing out, the others refused to abandon their old ground. Mr. Jefferson did not get a federal vote. Vermont gave a vote by means of Morris withdrawing. The same thing happened with Maryland. The votes of South Carolina and Delaware took.

"Your obedient servant,

"J. A. B."

See also upon this same subject an article on the "Presidential Election of 1801," in *Niles' Weekly Register* of January 4, 1823.

wheels and axle-trees proved insufficient to bear so great a burden, and having previously obtained the permission of the Board of Health (for whom this machine is constructed), to gratify the citizens of Philadelphia by the sight of this mechanical curiosity, on the supposition that it may lead to useful improvements; the workmen who had constructed it voluntarily offered their labor to make, without wages, other wheels and axle-trees of sufficient strength, and to receive as their reward one-half of the sum that may be received from a generous public for the sight thereof—half to be at the disposal of the inventor, who pledges himself that it shall be applied to defray the expenses of other new and useful inventions which he has already conceived and arranged in his mind, and which he will put in operation only when the money arising from the inventions already made will defray the expenses. The above machine is now to be seen moving around Centre Square, at the expense of the workmen, who expect twenty-five cents from every generous person who may come to see its operation. But all are invited to come to view it, as well those who cannot, as well as those who can conveniently spare the money.

"OLIVER EVANS."

Even before this experiment was made Evans had proposed to construct a road-carriage for freight. He thought the engine would cost fifteen hundred dollars, the carriage five hundred dollars and allowed five hundred dollars for "unforeseen expenses." He thought this carriage, when built, could carry one hundred barrels of flour at an average speed of two miles per hour, thus doing in two days (on the trip from Philadelphia to Columbia) the work of twenty-five horses and five wagons for three days at a cost of three thousand three hundred and four dollars. The turnpike company refused to enter into a contract with him. Evans then wagered that he "could make a carriage go by steam faster than any horse," but found no takers. He also announced that he could build carriages to "run on a railway" at the rate of fifteen miles an hour. The following letter of Evans some years later in the *New York Commercial Advertiser* shows how thoroughly he understood this subject:

"The time will come when people will travel in stages moved by steam engines at fifteen to twenty miles an hour. A carriage will leave Washington in the morning, breakfast at Baltimore, dine at Philadelphia and sup at New York on the same day. Railways will be laid of wood or iron, or on smooth paths of broken stone or gravel, to travel as well by night as by day. A steam-engine will drive a carriage one hundred and eighty miles in twelve hours, or engines will drive boats ten or twelve miles an hour, and hundreds of boats will so run on the Mississippi and other waters, as was prophesied thirty years ago (by Fitch), but the velocity of boats can never be made equal to that of carriages upon rails, because the resistance in water is eight hundred times more than that in the air. Posterity will not be able to discover why the Legislature or Congress did not grant the inventor such protection as might have enabled him to put in operation these great improvements sooner, he having neither asked money nor a monopoly of any existing thing."

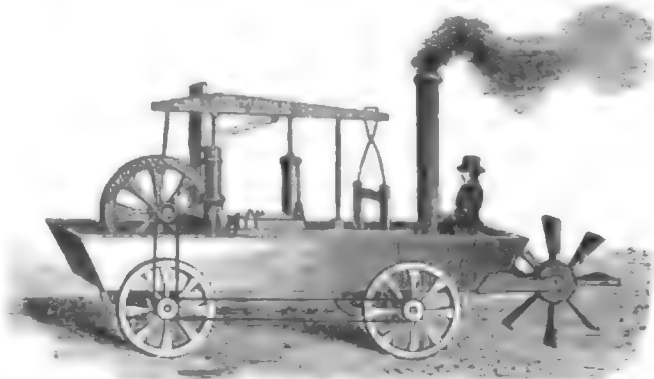
Oliver Evans' successful experiment for the novel launching of his dredging-machine was the first instance in this country of the application of steam power to land carriages. He was enthusiastic in his scheme for a steam railway and endeavored to secure the construction of one between Philadelphia and New York, but without success. While firm in his faith in the principle of land transportation through the agency of steam, he does not appear to have any comprehensive conception of the possibilities attending its application in the operation of railways, and, in December, 1813, he published an address on the subject which demonstrated theories peculiarly

primitive in view of his courage, industry and knowledge of a science at that time comparatively unknown and unattainable. In this document the ascent of an altitude of more than two or three degrees was not considered feasible. He suggested that the locomotive could be sent to the top of a hill and the cars drawn up by windlass and rope, and, "to obviate danger in making a descent," the engine could be sent ahead and the cars be let down by ropes. He said:

"Mr. John Ellicott has suggested that paths be made for the wheels of carriages to run on, of hard substances, such as turnpike roads are made of, with a rail between them, set on posts, to guide the tongue of the carriage, and that they might travel by night as well as by day. Others have proposed lines of logs, flattened at the top, with a three-inch plank pinned on them, to bear the carriage and to guide the wheels; these strips of plank to be renewed as often as necessary, and while the log may last and be sufficient to hold the pins. The expense of repairs would be trifling. . . . Mr. Samuel Morey, of New Hampshire, proposes that the two railways be laid as near each other as will permit, in order to let the carriages pass in opposite directions, and to cover the whole with a slight shed, to protect the passengers from the injury of the weather. . . . But railroads are best," he continues, "because, if they cannot be brought to a level, yet they may be brought to within two degrees and a half—the deviation allowed by law on turnpikes—and which would do very well. And in cases of great ascents the steam-carriage might be detached and ascend by itself to take a stand and haul the others up by a rope and cylinder, or by a windlass. In other cases the loaded carriages might be let fall astern by veering the ropes to them to slack their motion, until the steam-carriage has reached descending ground, and then the rope might be wound up again."

"As soon as any of these plans are adopted, after having made the necessary experiments to prove the principle, and having obtained necessary legislative protection and patronage, I am willing to take of the stock five hundred dollars per mile, of the distance of fifty or sixty miles, payable in steam-carriages or steam-engines, invented for the purpose fourteen years ago, and will warrant them to answer the purpose to the satisfaction of the stockholders, and even to make steam-stages to run twelve or fifteen miles an hour, or take back the engines if required."

Oliver Evans wrote the "Young Millwright's Guide" and the "Young Steam Engineer's Guide." He died in New York, April 21, 1819, without



OLIVER EVANS' STEAM CARRIAGE.

having seen his "life-dream" of steam railways realized. His limited financial resources was the main obstacle to the fulfillment of his mechanical experiments, and while he received large sums in royalties from his milling inventions, he was compelled also to expend a great deal of money to protect them, and was for several years almost constantly in the courts and before the legislative bodies, including Congress, as defender of his patents.

The subject of building a State Penitentiary was agitated on a number of occasions without success. The principal effort in this direction was in

1809, when the General Assembly declared that labor and solitary confinement should be substituted for corporal punishment, and resolved to establish "a penitentiary house." A committee, consisting of Jonathan Hunn, Abraham Ridgely and Isaac H. Starr, was appointed to report on the proper place of location and the probable cost and expenses of maintaining the proposed institution. The penitentiaries at New York, Philadelphia and Wilmington were inspected, and the committee reported in favor of Wilmington as the proper site, \$20,000 as the estimated original cost, and that the institution might be made self-sustaining, if not a source of revenue. In January, 1810, in consequence of the report of the committee, it was declared inexpedient to take the cost of building the proposed penitentiary out of the public treasury, but in view of popular sentiment it was resolved to appoint "seven gentlemen" from each county as commissioners to procure subscriptions for the purpose of building a penitentiary. No further action was taken and the matter was abandoned.

The Presidential contest of 1809 was conducted with great bitterness. The Democratic candidates for President and Vice-President were James Madison and George Clinton. The Federalists placed in nomination Charles C. Pinckney and Rufus King. In Delaware the election was contested with great vehemence. The Presidential electors chosen were James Booth, Daniel Rodney and Nicholas Ridgely, who cast their ballots for Messrs. Pinckney and King. Messrs. Madison and Clinton were, however, elected. George Truitt was elected Governor in 1808. The term of Samuel White in the United States Senate expired March 3, 1809, and he was re-elected. He died at Wilmington, November 4, 1809, aged thirty-nine years, and on January 12, 1810, Outerbridge Horsey was appointed his successor. He was elected and began a new term of service March 4, 1815, and continued until March 3, 1821.

CHAPTER XVI.

THE WAR OF 1812-15.

DELAWARE Bay and River, forming as they do, a convenient arm of the Atlantic, and washing the coasts of Delaware, Pennsylvania and New Jersey, were the scenes of many conflicts and exciting encounters during the second war with Great Britain. The State was by no means derelict in furnishing its quota of men and resources, and has lent the names of Jones, Macdonough, Rodney, Haslet, Du Pont, Stockton, Warren, Van Dyke, Wilson, Davis, Leonard and others to add to the list of heroes who brought the War of 1812-15 to

a successful issue. The war was in reality little more than a continuation of the Revolution of 1776. It was hardly to be expected that the British should lose one of their choicest possessions without seizing an opportunity to attempt to regain it. The Revolution had made us *free*, but as Franklin remarked, "the war of *independence* is yet to be fought." As it was expressed at the time, "we are free, but not independent." The reason is not difficult to find. The Articles of Confederation, which were accepted as the Constitution of the new-born States, were not capable of maintaining harmony at home and could not be expected to protect us from foes and enemies abroad. There was no central authority anywhere; there were thirteen sovereign States, retaining equal power and authority and each one jealous and watchful of any encroachments by the other.

Twelve years under the Articles of Confederation were sufficient to make their defects known, and in 1789 the present Constitution was adopted. At this time Great Britain enjoyed the reputation of being the greatest naval power in the world, and the subjects of that nation were apt to presume upon any prestige accruing to them through this branch of their government.

In 1793 Washington issued a proclamation of neutrality, definitely stating the neutral position of the United States in the troubles then brewing in Europe, and enjoining our citizens to refrain from any partisan participation. This course was the more necessary since the people of this country would perhaps have given vent to demonstrations of sympathy for France by way of gratitude, for services rendered to our people by the French in the Revolution. The British at once exhibited their independent and autocratic indifference to justice in international regulations on the high seas, and began to issue a series of Orders in Council. In June, 1793, they announced that all vessels laden with breadstuffs bound for French ports or places occupied by French armies should first put in to some English port and give assurance that the cargo would only be disposed of in some country friendly to England.¹ This was aimed directly at the United States, and was followed by others equally rigid. America resisted and asserted her right to trade with France in anything except contraband of war. These differences were for a time settled by Jay's treaty in 1794.

A more serious cause of trouble, and the one which eventually led to the War of 1812, followed immediately on the settlement of these disputes. The rapidly-growing commerce of the United States made service in our merchant marine particularly attractive. The great demand for seamen made wages high, and our position of neutrality offered additional

¹ Perkins' "Late War," p. 12.

inducement to enlist. Many British sailors entered our service, often deserting their own vessels to secure their freedom. To prevent this the government of Great Britain issued orders forbidding British seamen to enter foreign service, and masters of vessels were instructed to board all neutral vessels in search for deserters. American vessels, more than any others, suffered from these decrees. British and American seamen spoke the same language, and in many respects the identity of their habits made it an absolute impossibility to distinguish them. British officers would stop our vessels on mid-ocean and impress a number of sailors without further remark than that they were deserters. It has been estimated that thousands of native Americans were thus coerced into entering the British service. Matters gradually grew worse until 1806, when England declared the whole sea-coast bordering on the English Channel, about six hundred miles in all, to be in a state of blockade. But the blockade was a mere pretense for plundering our vessels.

Notwithstanding all these insults, the people hesitated long before they decided upon war. William Pinkney, of Maryland, was sent out to act with Monroe, the resident minister in London, to attempt to settle the dispute by arbitration. The only retaliation taken was a "non-importation" act, prohibiting the importation of certain English goods, but this was suspended in December.

Matters became more complicated by the retaliatory measures with which Napoleon now began to punish England. The first of these was the Berlin Decree, issued November 21, 1806, declaring Great Britain in a state of blockade, and prohibiting any commercial or other intercourse with the British Islands. The American ship "Horizon" was at once seized under this decree, and fresh orders were issued by the British Consul.

The affair of the "Chesapeake" at last made war the only alternative for settling the disputed issues between Great Britain and the United States, although five years elapsed before that culmination was reached. On the 22d of June, 1807, the "Chesapeake" was lying off Hampton Roads, under command of Commodore James Barron. Late in the afternoon the British frigate "Leopard" bore down on her and seized four seamen—William Ware, Daniel Martin, John Strachan and John Wilson. This outrage aroused the greatest resentment throughout the country. The President issued a proclamation warning all British armed vessels not to enter American ports and ordering any that were then anchored to leave at once. Meetings were held throughout the country to give expression to the indignation excited by the occurrence. The people of Wilmington assembled on July 4th, with the venerable John Dickinson in the chair, and adopted the following resolutions:

"Resolved, that we view with the strongest sentiments of indignation and abhorrence the late unprovoked, lawless and ferocious attack made by the British ship-of-war 'Leopard' upon the frigate 'Chesapeake,'

and the daring insult offered thereby to the flag, the government and the people of the United States."

The citizens of Lewistown and the vicinity also held a meeting and passed the following resolution on July 10th:

"Resolved, unanimously, that the repeated aggressions and violations committed by Great Britain against all neutral nations in general, and particularly against the persons and privileges of our citizens, as a free and independent people, have excited in us just abhorrence and indignation; that the late outrage by the 'Leopard,' ship-of-war, against the 'Chesapeake,' we consider, as a premeditated insult to our government and national character, and wearing so barbarous an aspect that longer patience would degrade the name of Americans.

"Resolved, unanimously, that if upon the meeting of Congress it shall be found necessary to resort to hostile measures against Great Britain for the attainment of justice, we will cheerfully submit to any deprivations or hardships attendant on a state of war, and we will make every exertion to perfect ourselves in the military art and equip ourselves to oppose the base and cowardly enemy of our country."

These patriotic sentiments were followed by a message from Governor Nathaniel Mitchell to the Senate and House of Representatives, under date of August 4, 1807. Referring to the President's proclamation of July 2d, he said he had been called upon to organize and hold in readiness eight hundred and fourteen militia, this number being Delaware's quota. On December 17th, Napoleon issued the Milan Decree, which far exceeded that of Berlin in severity, and declared all vessels bound for, or coming from England, or which had submitted to English search, to be subject to capture.

The President convened Congress in extra session, and on the day following the issuing of the Milan Decree December 18th, the embargo act was passed by the Senate, and on the 21st by the House. By this unprecedented measure, American vessels were prohibited from leaving foreign ports and foreign vessels were not allowed to take cargoes from the United States, and all vessels plying along the coast were forced to give security that they would land their cargoes in the United States. American commerce received a terrible blow, but Jefferson defended the embargo, on the principle that the "end justifies the means." The President was empowered to enforce or suspend the act, as he might deem fit.

The opposition to the embargo was intense and bitter in the extreme, and it was frequently violated by coasters trading with the West Indies. William Cullen Bryant, then but thirteen years of age, wrote a poem on the embargo, one stanza of which ran as follows:

"Curse of our nation, source of countless woes,
From whose dark womb unreckoned misery flows,
Th' Embargo rages, like a swooping wind—
Fear lowers before, and famine stalks behind."

John Quincy Adams, of Massachusetts, was forced to resign his seat in the United States Senate on account of his support of the bill, and when he ran for the Presidency, in 1824, this political sin was resurrected and urged by the Northern Federalists as a reason for defeating him. This is but one illustration of the hostility against the measure, which finally compelled Congress to repeal it early in 1809.

Already in 1808 preparations were made for the

¹ M. Carey, "Olive Branch," p. 113.

² "Olive Branch," p. 113.

war, which it was now seen was inevitable. An act passed Congress on April 23d providing for arming the whole body of militia of the United States, but the arms were not to be delivered until a later date. Governor George Truitt, of Delaware, in a message to the Legislature, on November 15, 1808, stated that the hope which they had long indulged of a happy conclusion of the differences with the belligerents of Europe was then almost extinguished, and he consequently recommended a revision of the State militia law. He said he had received a letter from the Secretary of War, calling upon him to organize thirteen hundred and thirty-two of the State militia. On January 11, 1809, a resolution was passed by the Lower House of the Legislature, instructing the Senators and Representatives in Congress from Delaware to prevail on the general government to erect certain fortifications for the protection of the State. They asked for four or more batteries, one to be placed near New Castle, one near Wilmington, one near Reedy Island and the fourth near Lewes. On January 19th, following, the Senate considered the resolution, and amended it slightly, adding Port Penn as a fit locality for placing an additional battery, and substituted the clause "one or more at each place" for "four or more." In this the House concurred, and copies were forthwith sent to Washington.

On January 23d, Mr. Fisher, clerk of the House of Representatives, presented for concurrence in the Senate, a bill authorizing the cession to the United States government, of all jurisdiction over such places in the State of Delaware as might be chosen for the erection of forts and batteries. A resolution also passed the State Senate February 11th, "that it will be dangerous to the freedom of these States to place at the disposal of the President of the United States a standing army of fifty thousand volunteers;" in this, however, the House refused to concur.

Many similar resolutions bearing upon the war were introduced in the Delaware Legislature, and in fact, in all the Assemblies of the various States at this time. A telegraph line by means of signals was built by Jonathan Grout for the Philadelphia Chamber of Commerce from Reedy Island to that city. The first communication sent by this line was on the 8th of November, announcing the arrival in the Delaware of the ship "Fanny," from Lisbon.

There was a brief lull late in 1809, owing to the prospect of peace, which followed the arrival of David M. Erskine, who had been sent out as minister plenipotentiary by England at the beginning of Mr. Madison's administration. Being anxious for peace, he had let his ardor carry him too far, and his recall was requested. He was followed by Francis J. Jackson, whose insolent bearing exercised little influence toward soothing the political pains of the nations. The non-intercourse act,—a mild form of the embargo,—which had been passed when the latter measure was repealed, was now enforced with great strictness against England, but was also repealed May 1, 1810.

In the divisions of party consequent upon the passage of the embargo act, the people of Delaware arranged themselves under the Federalist leadership of their United States Senator, Hon. James A. Bayard. Wm. Giles, of Virginia, offered an opportunity in Congress for a direct attack upon the embargo act, by introducing a resolution to repeal the obnoxious act, except as to Great Britain and France, and to make provision by law for prohibiting all commercial intercourse with those nations and their dependencies, and the importation of any article into the United States, the growth, produce or manufacture of either of these nations, or of the dominions of either of them. This opportunity to assail the embargo Mr. Bayard promptly seized by moving a resolution to amend, so as to render the repeal general, and to prevent the passage of those clauses which were intended to prohibit commercial intercourse with the belligerent nations.

It was the hope and expectation of the administration that the adoption of Mr. Giles' resolution suspending intercourse with Great Britain and France would be the immediate and necessary prelude to open war—that the exposure of vessels to capture and condemnation under the Orders in Council would place the nation in a predicament that would render hostilities inevitable. The Senator from Delaware, opposed to war, denied that England was an enemy, and that any cause existed to make her one. Admitting that there were many and heavy complaints to be made against her conduct, and not denying that cause existed which might justify that, he asserted that such a measure was forbidden by policy and not required by honor. He avowed that whatever were the aggressions of England, and however little he was disposed to defend or palliate any aggression, public or private, against the rights and honor of the country, he yet felt with equal sensibility all that the country had suffered from the aggressions of the French; he denied that what was right in one nation, could be wrong in another. The war upon neutral rights—that part of it, at least, which scorned even the pretext and mask of propriety, and openly and flagrantly violated established usage and principle—commenced with the Berlin Decree, which, finding its sanction neither in precedent nor principle, asking for no right and established only in presumed power, forbade to neutrals a trade with England or her colonies, or the transportation of her manufactures or produce; that what England had done, flagrant as it was, derived a feeble but indeed plausible apology from the equally novel pretext of retaliatory right. Unquestionably it was unsound doctrine that could assert the insufficient excuse; but in the scales of national injustice, the original introduction of illegitimate and noxious pretenses, at least counterbalanced, and perhaps far outweighed, the imitation that pursued with no tardy pace the original initiate wrong; that England could be reproached with merely a breach of international law, while France superadded to the same

infracture a wanton breach of faith plighted by the most solemn instrument that can mature and make perfect that bond by which different communities are held together.

In his opposition to the measures of Mr. Madison's administration, the Senator from Delaware voiced the sentiments and opinions of the Federal party in the State he represented, and the open sincerity with which he traced the relative position of the United States with the belligerent powers echoed the feelings and sentiments of the Federal party of the country. The Legislature of the State, in 1811, stood six Federalists and three Republicans in the Senate and fourteen Federalists and seven Republicans in the House of Representatives. But notwithstanding this Federal predominance in the Legislature, the popular vote in the State evidenced an early change of political parties. The Federal popular majority at the fall election in 1811 in Kent, was one hundred and twenty-two, and Sussex six hundred and fifteen, while the Republican (Democratic) majority in New Castle was six hundred and ninety-seven, showing a Federal popular majority in the State of only forty. When the General Assembly convened on the 7th of December, James Sykes was chosen Speaker of the Senate, and Cornelius P. Conneys Speaker of the House of Representatives.

Public events had rapidly progressed towards open war with England. France had responded to the efforts of the administration in the non-importation law of May, 1810, and announced in the following November the repeal of the Berlin and Milan Decrees, but Great Britain adhered to her Orders in Council. After a year had elapsed since the repeal of the French decrees, Great Britain, instead of retracting *pari passu* her course of unjustifiable attack on neutral rights, in which she had professed to have been only a reluctant follower of France, advanced with bolder and continually increasing strides upon the rights of Americans on the high seas. To the categorical demand of the United States for the repeal of her Orders in Council, she affected to deny the practical extinction of the French decrees, and advancing a new and unexpected demand, she increased in hostility the orders themselves, by insisting that the repeal of the Orders in Council must be preceded not only by the practical abandonment of the decrees of Berlin and Milan, but by the renunciation on the part of France of her whole system of commercial warfare against Great Britain.

The instructions upon which Great Britain founded her action for violating the maritime rights of the United States were not merely theoretical, but had been followed by repeated acts of war. The American people not being of that sect which worships at the shrine of a calculating avarice, took cognizance, not only of plundering ships and cargoes, but listened with attentive ears to the groans of their sailors, victims of a barbarity unparalleled, and of their suffering wives and children deprived of protectors and parents;

and while protecting fair and legitimate commerce, the administration deemed the lives and liberties of the sailors of more inestimable value than the ships and goods.

In the month of June, 1812, President Madison communicated to Congress a message in which a declaration of war was recommended; which promptly passed the House of Representatives, but encountered in the Senate serious difficulties. The Senator from Delaware, Mr. Bayard, while equally sensible of the injuries, and yielding nothing to the warmest advocates of hostilities in zeal for the honor and prosperity of the country, yet felt and insisted that honor was not to be vindicated nor prosperity promoted by angry and precipitate measures, that would plunge the country unprepared into war. Foreseeing the disgrace inevitably attendant on a hasty adoption of the resolution, he forestall, with a sagacity that was his distinguishing tribute, the evils that must certainly



HON. JAMES A. BAYARD.

ensue. Imbued with these apprehensions, Mr. Bayard, on June 16th, moved to postpone the further consideration of the measure until October 31st. While sacredly believing in the spirit of his countrymen, Mr. Bayard denied the necromancy of the administration; he knew that the days of Cadmus were gone, and that the dragon's teeth would remain unprolific in the ground; that troops must be levied, disciplined, trained and supplied before they could be relied on against the disciplined armies of the greatest military power on earth. Had Mr. Bayard's

¹ James Ashton Bayard, the famous Delaware statesman, was born July 29, 1767, and died August 6, 1853. He was of old Huguenot stock. His father, Dr. J. A. Bayard, dying in 1770, young Bayard was adopted into the family of his uncle, by whom he was liberally educated and soon rose to a high position in the law and in public affairs. He was a member of Congress from 1797 to 1803, and United States Senator from 1804 to 1813. In Congress he was celebrated as a Federalist leader, and was largely influential in electing Jefferson president. In the impeachment of Senator Blount he was prominent as conducting the trial. He opposed the war with Great Britain in 1812, and was a member of the Peace Commission from the American government to secure Russian

resolution passed and the declaration of war been postponed for three months, the early efforts of the American army would not remain a cloud upon the splendor with which it closed the war. The short-sighted policy of the impatient administration expected to find in the arrangements of Gen. Hull a substitute for army preparations. The whole frontier from Michilimackinac to Plattsburg, the extensive sea-board, covered with the richest and most useful population of the country, the multitude of vessels on the ocean, the mass of property accumulated in England—all were placed in jeopardy for the sake of striking a blow, towards which the adequate force was supposed to be concentrated, without giving the enemy time for preparation. Mr. Bayard's object was to place the country on something like an equality with the contemplated foe. He said:

"He was greatly influenced in his motion for postponement from the combined considerations of the present defenceless condition of the country and the protection which Providence had given us against a maritime power in the winter season. During the winter months you will be protected by the elements. Postpone war until November and we shall not have to dread an enemy on our coasts till April. In the mean time go on with your recruiting; fill up, discipline and train your army. Take the stations, if you please, which will enable you to open an early campaign. Your trade will have time to return home before hostilities commence, and having all your ships and seamen at home, you may be prepared to put forth all your strength upon the ocean on the opening of the ensuing spring. Shall we, by an untimely precipitancy, yielding to a fretful impatience of delay, throw our wealth into the hands of the enemy, and feed that very rapacity which it is our object to subdue or to punish."

The declaration of war was passed, and the advice and opinion of Senator Bayard was demonstrated in their wisdom and application. The people of Delaware supplemented their patriotic purpose to defend the country with an earnest effort to advance and promote its material prosperity.¹ The Messrs. Du Pont & Company, near Wilmington, are reported in *Niles' Register* for July, 1812, as manufacturing "woolen goods of the value of \$150,000 to \$200,000 *per annum*. The adjacent country is filled with sheep, wool be-

mediation. As one of the commission he negotiated the treaty of Ghent in 1814. On his return he was selected as a commissioner to effect a commercial treaty with Great Britain, but died while making preparations to go abroad. He declined the French and Russian missions during his public career. His son, James A. Bayard, Jr., was United States Senator from 1831 to 1864. Another son, Richard, was in the United States Senate from 1836 to 1839, and from 1841 to 1845. Mr. Bayard's wife was a daughter of Governor Richard Bassett, of Delaware. Hon. Thomas F. Bayard, Secretary of State under President Cleveland, is his grandson.

Immediately after Colonel Allen McLane, the collector of the customs at Wilmington, received the Secretary of the Treasury's communication of the 18th June, announcing a declaration of war against Great Britain, &c. the surviving officers of the Continental Army, residing in Wilmington and its vicinity, associated, with a number of their fellow-citizens exempt from military service by law, and resolved as follows:

"We, whose names are hereunto subscribed, citizens of the borough of Wilmington, and its vicinity, above the age of forty-five years, and by law exempted from requisition to perform military duty, anxious for the welfare of our beloved country, and apprehensive that the crisis may arrive, when the young and active may be called into distant service, do hereby agree to form ourselves into a military corps, to be devoted solely to the defence of the Borough aforesaid, against invasion; and in obedience to the constituted authorities, to endeavor to preserve order, promote harmony, and maintain the authority and efficacy of the Laws.

"Of the old Continental Line,

Allen M' Lane,
Peter Jaquett,
Edw. Roche,
David Kirkpatrick.

Of the old Continental Staff,

Dr. James Tilton,
Dr. G. Monro,
Dr. E. A. Smith,
&c. &c. &c."

coming one of the staples of the farmer. Ten years hence we may send *broad cloths* to England, if her government will permit us, or at least supply her manufacturers with the *merino* wool, having enough for ourselves and to spare; for it is ascertained that the sheep rather improve than depreciate with us. The stock is increasing with unheard of rapidity."

The peace party had gained a strong foothold in Delaware, and when the bill declaring war finally came up in the House of Representatives, on June 18, 1812, Delaware's representative, Henry M. Ridgely,² voted in the negative. But he was not alone, as a number of the representatives of twelve of the seventeen States voted in the same way. The bill was, nevertheless, carried by a vote of 79 to 49, and war was declared to be existing "between the United Kingdom of Great Britain and Ireland and the dependencies thereof and the United States of America and their Territories."

Delaware had all the while been preparing for hostilities and was in readiness when the President issued his proclamation. When the Legislature had convened at Dover, on January 7, 1812, Governor Joseph Haslet forwarded a message through John Fisher, then Secretary of State, a part of which may well be quoted as a specimen of true American patriotism:

"*Fellow-Citizens of the Senate and of the House of Representatives:*

"Nothing could contribute more to my satisfaction at this time, and on this occasion, than to be justified, from the posture of our foreign relations, in offering to you my congratulations on the adjustment of all our differences with the belligerents of Europe. But unhappily for our beloved country, it would seem as if a participation in the devastations of war must be its portion, and however reluctant we may be to engage in hostility with any power, it will be a subject of consolation to the patriot and soldier amidst the din of arms, to reflect that such a state of things was avoided as long as it could be, consistently with the honor and the rights of the nation. Our rulers have left no honorable effort unemployed to arrive at a friendly and sincere adjustment of every existing difference with both Great Britain and France. But in proportion to the anxiety which our government has evinced to accomplish this desirable end, the former of these powers has receded from the ground of compromise and increased the difficulties which pre-existed; negotiation with her has become a formal nullity, and a magnanimous offer of amity the object of derision and contempt.

"France, indeed, has revoked her decrees which so injuriously affected our commerce, but their revocation is unaccompanied with an offer of retribution for the unexampled pillage of our property, committed under them. She also vexes our commerce by municipal restrictions, unfavorable to a fair and amicable intercourse.

"Under this aspect of our public affairs, it behooves us to be prepared for such a crisis as may ultimately occur. An union of sentiment among ourselves; a determined support of the constituted authorities of the general government in such measures as they may adopt for the general security; a patriotic resignation to the privations which a state of hostility may produce, and minds firmly and valorously bent on facing the conflict whenever it happens, will be necessary for us all, if we mean to co-operate in the defense of our rights. In obtaining these rights the State of Delaware was a fearless and effectual confidant, and will undoubtedly be counted among the last in surrendering them.

"In proportion as she prizes the blessings of a virtuous and republican self-government, ought she to be firm and resolute in her endeavor to preserve it. Small and unimportant as she may be as a member of the Union, I trust that in the terrible awe of war, her citizens will be as effectual guardians of the public liberty as those of any part of our country. In conflicts more awful than may again occur, her blood received upon the 'embattled plain' the grateful plaudits of an expiring

² Henry Moore Ridgely was born in Dover, August 6, 1778, and died August 7, 1847. His father, Dr. Charles Ridgely, was a distinguished physician and citizen of Kent County, Delaware. Henry M. Ridgely was celebrated for his legal knowledge and ability, and also for public services, having been a member of Congress from 1811 to 1815; Secretary of State of Delaware in 1817 for three terms, and United States Senator from 1826 to 1829.

In this message Governor Haslet urged upon the Legislature the importance of amending the militia laws to meet the emergency of the time. He says:

"We ought, as an efficient member of the Union, as a means of our own safety, and as a body politic, which is always resolved to defend its rights against every violation, to maintain a well-disciplined and a respectable militia. On this subject too much assiduity cannot be employed, as the hour is not known when we may be employed to furnish that quota for the common defense which, as a component part of the Union, we are bound to contribute."¹

On April 10th, Congress passed an act authorizing a detachment from the militia of the United States. The Secretary of War issued circulars to the Governors of the various States, informing them of this requisition and of the quotas required of each. On receipt of this communication, the Governor of Delaware immediately forwarded a message to the Legislature, dated May 20th. The quota required of Delaware was ten thousand men, duly organized, armed and equipped for active service. The Governor urged the necessity of immediate action to comply with the request of the President. He also called the attention of the Legislature to the necessity of a revision of the militia laws, as he had been informed by the Adjutant-General that the inefficiency of the existing laws rendered a compliance with the Government orders an absolute impossibility. The Assembly had, on January 31, 1809, authorized the Governor to purchase arms and equipments when the troops were actually called into service. By the President's requisition, however, the militia were required to be ready to march at a moment's notice, and as the law did not authorize the purchase of arms before they were commanded to take the field, obedience to this was impossible, and amendments were accordingly necessary. In this both the Senate and House willingly complied, and the necessary Delaware troops were organized and placed at the disposal of the General Government.

The census of 1810 and other reports and statements, which were published about the time that war was declared, showed a marked increase in the population of Delaware as well as encouraging commercial progress. The following table will show the increase of population by counties:²

COUNTIES.	1790.			1800.			1810.		
	Free Whites.	Slaves.	Total.	Free Whites.	Slaves.	Total.	Free Whites.	Slaves.	Total.
Kent	14650	2400	18050	13821	1483	15304	14151	728	20195
Sussex	15773	4025	20148	15290	2800	18058	21747	2402	27550
New Castle	16485	2562	19696	20700	1838	22538	19463	1047	24429
Total	46908	8987	59994	40892	6121	47013	55361	4177	72674

here. History has recorded these deeds on her fairest pages, and liberty has inscribed their names upon tablets as durable as time."

¹"Journal of the Delaware House of Representatives," Niles, commenting on this address in his *Weekly Register* of January 18th, said: "Governor Haslet's message is worthy of the principles for which his father died at Princeton."

Governor Joseph Haslet was born in Kent County, Delaware. His father, a prominent Delaware officer in the Revolutionary War, was killed at the battle of Princeton in 1777, and his wife survived him but a few days. Young Haslet was taken under the guardianship of Chief

This total of 72,674 in 1810 was divided as follows: males under ten years of age, 9632; males between ten and sixteen, 4480; males between sixteen and twenty-six, including heads of families, 5150; males between twenty-six and forty-five, including heads of families, 5866; males of forty-five and upwards, 2878. Among females, those under ten numbered 9041; between ten and sixteen, 4370; between sixteen and twenty-six, including heads of families, 5541; between twenty-six and forty-five, including heads of families, 5527; and those above forty-five, including heads of families, 2876; all other free persons, except Indians not taxed, 13,136; slaves 4177.

The census in 1810 showed a sufficient population in Delaware to add another representative in Congress, the State being then represented in the House by Henry W. Ridgely, and in the Senate by Hons. James A. Bayard and Outerbridge Horsey.³

A report issued from the Treasury Department showing an abstract of the tonnage of the shipping of the several districts of the United States, on the last day of December, 1810, made the following showing for Wilmington: Registered, permanent tons, 95ths, 789.83, temporary, 553.05; enrolled and licensed, permanent tons 95ths, 6182.54, temporary 79.10; licensed under twenty tons, coast trade, tons 95ths, 687.45, —making an aggregate tonnage of 8192.17. Another report from the register of the treasurer's officers showed the exports from Delaware for the year ending October 1, 1811, to have aggregated \$88,632.

From nearly every quarter of the country the response came that the country had borne with injury and insult until forbearance had ceased to be a virtue. Among the voices for war none were more clear and unmistakable than that of Governor Haslet's message. Reviewing the history of affairs between England and the United States from 1763 to 1812, and characterizing the various acts of wrong and outrage as they deserved, he added:

"War has been declared. In whatever light the measures which led to it may be viewed, the feelings of every American must require that it be prosecuted with vigor. Averse to war, we know that an efficient prosecution of that in which we are engaged will be the best security against war hereafter. The crisis has come when we must convince the world that we know how to value our rights, and have means to enforce them; that our long offering of injuries has proceeded from our love of peace, not from any apprehensions of the event of war; that our friendship is to be desired and our enmity to be deprecated.

"We have been informed by the President of the United States, and have seen in the public documents, that immediately after the war was declared the President proposed to the British Government the 'terms on which its progress might be arrested. These terms required that the orders in council should be repealed, as they affected the United States,

Justice Killen, and on reaching his majority removed to Sussex County and devoted himself to agricultural pursuits. He was elected Governor 1811 to 1814, and again in 1822, and died on January 23, 1823, during his incumbency.

²Niles' Register, vol. 1, p. 289.

³Outerbridge Horsey, a distinguished member of the Delaware bar, was born in Somerset County, that State, in 1777, and having received a finished education, studied law under Hon. James A. Bayard. He became prominent in his profession and as a public man, representing his State in the United States Senate from 1810 to 1821, and was chosen attorney-general of Delaware, filling the office with honor for many years. He died at Needwood, Maryland, June 9, 1842.

without a revival of blockade, violating acknowledged rules; and that there should be an immediate discharge of American seamen from British ships, and a stop to impressment from American ships, with an understanding that an exclusion of the seamen of each country from the ships of the other should be improved into a definitive and comprehensive adjustment of depending controversies.' From these terms the welfare of our country requires that our government should never recede. We can never consent to peace, leaving the commerce a prey to lawless violence, our countrymen in bondage and our enemy in possession of a claim to enslave them whenever she finds them on the ocean. The reasonableness of these terms, the conciliatory manner in which they were proposed and the manner in which they were received and rejected by the British Government, if there had not already existed abundant evidence on the subject before, are sufficient to convince us that we can hope and expect nothing from the justice or friendship of Great Britain. It only remains for us to compel her to grant to our power what we have so often solicited her to yield to our rights.

"A war thus waged for the protection of our property and countrymen, for redress of accumulated wrongs and for future security against such wrongs, must have the undivided support of this nation. England openly calculates upon our division. During the Revolutionary War her minister publicly professed the ungenerous maxim—'Divide and Govern.' She was mistaken then; she is mistaken now. The fundamental principle of our constitution is, the will of the majority shall rule. To suppose a case in which this will, constitutionally expressed, shall not carry the obligation to obey, is to suppose a case which cannot happen. If ever such supposition shall be seriously acted upon, the Union will be dissolved. Nor can I understand the reasoning, which admits to the general government and its several branches certain constitutional powers, but denies to them the right to determine the time and manner of exercising those powers. To deny them such right of determination is to divest them of their authority. It is the most effectual step towards a separation of the States.

"Urged by considerations which this subject presents to me, I must again and earnestly solicit your attention to our militia laws. The propriety of revising those laws and so framing them as to form an efficient militia, has been so often dwelt upon, that I can present it to you in no new light. I can only add, that our nation is now engaged in war; that our enemy abounds in wealth and is powerful in arms. War has long been her trade; from her we must expect no common struggle. Our situation is exposed to danger. Our safety requires that we should prepare to defend ourselves. Our militia must be our principal defence. If we will organize our militia it will be sufficient for us, and I deem it of the first importance that the militia shall be efficiently organized. To this purpose an energetic militia law is indispensably necessary; such a law as shall command the personal services of all liable to military duties. The militia law cannot be intended as a means of taxation. It must be so framed as to exclude the probabilities that the duties which it enjoins will be commuted by the fines that it imposes, or little good will result from it."

Though a difference of opinion existed as to the policy and necessity of the war against England, there was no uncertain sound in the call of the Governor of Delaware upon the Legislature and people of the State for its vigorous prosecution. Though the declaration of war was in strict accordance with the will of the people of the United States, there were some, undoubtedly men of elevated patriotism and great abilities, who, while freely admitting the justice of all the claims advanced by the United States, as founded on the immutable laws of reason and right, were yet desirous to waive their rigid exactions at that time, believing that at a general peace the *practice* of impressment, with the *principles* of the Orders in Council, would be abandoned. "I am among the last men in the Senate," said Mr. Bayard,¹

"who would justify or defend the orders in Council. They violate the plainest rights of the nation. The ground of retaliation was never more than a pretext, and their plain object is to deprive France of neutral trade. It never was contended, nor does Britain now contend, that she would be justified by the laws or usages of nations to interdict our commerce with her enemy. She covers her injustice with the cloak of retaliation, and insists that she has a right to retort upon her enemy the evils of his own policy. This is a doctrine to which I am not disposed to agree. It is destruction to neutrals. It makes them the prey of the belligerents."

As soon as war was declared privateers began to be

¹ Speech October 31, 1812.

fitted out with great speed, to prey upon British commerce. Soon the Delaware swarmed with these "skimmers of the sea," sent out by Philadelphia and Wilmington. On July 4th three privateers, lying in the Delaware, were fitted out and fired salutes; they were the "Atlas," Captain David Maffett; the "Spencer," Captain Morse; and the "Matilda," Captain Noah Allen. The "Matilda" sailed July 7, under Captain Taylor, but she had not proceeded far before a mutiny took place on board, and forty of her crew were lodged in New Castle jail. Captain Allen then assumed command of the "Matilda," and proceeded on his voyage, which proved highly successful, she having captured the British ship "Goellet," the "Ranger," a privateer brig, and the schooners "Jingle," "Margery" and "Woodburn."

The privateer fleet in the Delaware continually increased during 1812, and was of considerable size toward the close of the war. The "Rattlesnake," one of the later additions, a vessel of eighteen guns, was upset off Reedy Island in a sudden gale, and the pilot and twenty of her crew were drowned. The first to volunteer service in the State of Delaware was Captain Goodwin, of Sussex County. In July he and forty-five others organized a company of light infantry, uniformed themselves and unanimously offered their services to the Governor to help make up the State's quota of the ten thousand militia called for by acts of Congress. Other offers soon followed, and reference to the Governor's register shows a long list of commissions issued soon afterwards.

Though the town of Wilmington was not occupied by the enemy during the war, it was kept in a constant state of suspense, being endangered by an invasion from the west and bombardment from the river. The citizens at all times displayed the greatest patriotism, by tendering their services and treasure for the common defense. A fort was built at "the Rocks," near the original site of Fort Christina, and frequently the inhabitants of the town and surrounding country were in arms to meet threatened invasion. As early as May 2, 1812, before war was declared, such was the patriotic impulses of the town, Captain Grindage, of the United States army, opened a recruiting office in Wilmington, and many young men enlisted. As an inducement Captain Grindage offered eight dollars per month to those who would enlist for five years, with a bounty of sixteen dollars and one hundred and sixty acres of government land.²

² On August 24th Governor Haslet issued commissions to officers of a company of light infantry attached to the First Battalion, Sixth Regiment; John Adams, captain; John Revell, lieutenant; Thomas Redden, ensign. On the same day commissions were issued to a troop of cavalry attached to the Third Brigade; officers—Samuel Laws, captain; George Polk, first lieutenant; Clement White, second lieutenant; William Laws, cornet. Also to Nathan Pratt, ensign, and James White, captain Second Company, Sixth Regiment; to Joseph Booth, lieutenant Third Company, Third Regiment; to William Garretson, lieutenant Third Company, First Regiment; to John Neile, captain, — Armstrong, lieutenant; Joseph Springer, Jr., ensign Sixth Company, First Regiment, Nehemiah Lofland, of Nutter, ensign of a company of light infantry attached to the First Battalion of the Seventh Regiment. On September 3, 1812, on recommendation of John Stockton, brigadier-general of the First Brigade, and on information that there were not three full troops of cavalry, the Governor attached to the brigade and commis-

The chief seat of the military operations during the summer of 1812 was in the North and West. Along the region of the great lakes and through Northern New York and Southern Canada the most hotly-contested struggles were being carried on. The Northwestern army, the fortress of Detroit and the Territory of Michigan had fallen into the hands of the enemy. General Hull, who had been in command of the American army in the North, was court-martialed on charges of treason, cowardice and neglect of duty, and sentenced to be shot, but was recommended to the mercy of the executive. The President granted a reprieve and ordered his name to be stricken from the roll of the army.¹

Farther south, although no serious conflicts had occurred, the petty skirmishes and encounters had proved more successful to American valor. On August 14th the British ship "Mary Ann" was brought to Cape May, a prize of the American privateer "Paul Jones."

News of the capture of the British frigate "Guerriere," Captain James R. Dacres, by the United States frigate "Constitution," Captain Isaac Hull, was received September 3d, and created the greatest enthusiasm. In the desperate encounter Lieutenant Wm. S. Bush, first lieutenant of marines on board of the "Constitution," was killed while leading a boarding party. Lieutenant Bush was a native of Wilmington, a son of Captain John Bush, and a nephew of Major Lewis Bush, who fell at the battle of Brandywine in the Revolution. He entered the navy in 1809, and was promoted first lieutenant two years later. He was distinguished for bravery and his many private virtues.

In September, 1812, an incident occurred in the

sioned John Warner, captain; Joseph Stidham, first lieutenant; William P. Brubson, second lieutenant; and Phillip R——, cornet. September 16th, commissions were issued to Robert Ockeltree, lieutenant, Ebenezer Morton, ensign Third Company, Second Regiment; Jacob Ash, captain, Joseph Ash, lieutenant, John Miller, ensign Sixth Company, Second Regiment; Richard Laurensen, captain, Richard Graves, lieutenant, and Jonathan Faris, ensign Eighth Company, Second Regiment. On September 17th, those commissioned were James Kerr, adjutant of a battalion of cavalry attached to the First Brigade in place of George Read, Jr., resigned; William Whitaker, lieutenant, and Richard Mitchell, ensign Fifth Company, Sixth Regiment.

On June 20th General John Stockton called a meeting in Wilmington of the colonels and majors belonging to the First Brigade of Delaware militia, and erected New Castle County into regimental and battalion districts. About the same time Senator Bayard presented a memorial to Congress from the citizens of Wilmington and New Castle County, praying for measures of defense. On June 25th a vessel arrived at the mouth of the Christina and reported that three British armed vessels were off the Capes of the Delaware, which created considerable excitement in Wilmington, and measures were immediately put into effect to defend the place. On the 29th the young men of the town organized a rifle corps, with Caesar A. Rodney, captain; A. Hamilton, first lieutenant; and Edward S. Mendenhall, second lieutenant. The ladies of the town presented the company with a handsome silk flag.

On August 28th Colonel Allen McLane, collector of the port of Wilmington, instructed all millers on the Delaware River to carry arms for their defense. He said if they were "assailed by armed men you are to act on the defensive and appeal to the civil authority for protection. You are not at your peril to be the assailant. The collector of Delaware will not suffer the sovereignty and independence of Delaware to be violated with impunity."

¹ Captain H. Grindage, of the Sixteenth Regiment of United States Infantry, left Wilmington on the 24th of October, 1812, for the Northwestern army, "with 110 as nicely equipped and as brave looking men as ever graced any army." Two heavy wagons followed them with provisions and baggage.

Delaware, which caused some comment at the time. Sir James Yeo, the commander of the British frigate "Southampton," having heard that Captain David Porter, of the United States sloop-of-war "Essex," had maltreated a British seaman on board of his ship, sent him the following challenge, which was published in the *Democratic Press* of Philadelphia:

"Sir James Yeo presents his compliments to Captain Porter, commander of the American frigate 'Essex,' and would be glad to have a tête-à-tête anywhere between the Capes of Delaware and the Havana, where he would have the pleasure to break his own sword over his damned head, and put him forward in iron."

To this Captain Porter replied the same day:

"Captain Porter, of the United States frigate 'Essex,' presents his compliments to Sir James Yeo, commanding H. B. M.'s frigate 'Southampton,' and accepts with pleasure his polite invitation. If agreeable to Sir James, Captain Porter would prefer a meeting near the Delaware, where Captain Porter pledges his honor to Sir James that no other American vessel shall interrupt their tête-à-tête. The 'Essex' may be known by a flag bearing the motto 'Free trade and sailors' rights,' and when that is struck to the 'Southampton' Captain Porter will deserve the treatment promised by Sir James."

Sir James, however, did not respond.²

On the 13th of October, 1812, the sloop-of-war "Wasp" left the Delaware on a cruise to the West Indies, with a full complement of men, about one hundred and thirty-five in number. The "Wasp" mounted sixteen thirty-two-pound carronades and two long twelves, and also carried, usually, two small brass cannon in her tops. Her commander was Captain Jacob Jones, a brave officer, and a native of Delaware.³ His officers were: Lieutenants, George W. Rodgers, James Biddle, Benjamin Booth, Alexander Claxton and Henry B. Rapp; Sailing-master, Wm. Knight; Surgeon, Thomas Harris; Purser, George L. Price; Boatswain, John McCloud; Gunner, George Jackson; Midshipmen, George Van Cleve, A. S. Ten Eyck, Richard Brashear, John Holcomb, Wm. J. McCluney, C. J. Baker and Charles Gaunt; Surgeon's Mate, Walter W. New. On October 18th the "Wasp," when off the West Indies, discovered a fleet of armed merchant vessels under the protection of the British sloop-of-war "Frolic," mounting sixteen thirty-two-pound carronades, two long six-pounders and two twelve-pound carronades on her forecastle. She was manned with a crew of one hundred and eight persons under Capt. Thomas Whingates.

The two vessels ranged up close and immediately began one of the fiercest naval engagements of the war. Within five minutes after the action began the main-topmast of the "Wasp" was shot away. It fell with the main-topsail yard, and lodged across the

² Loring's "Pictorial Field-Book" of the War of 1812, pp. 440-41.

³ Commodore Jacob Jones was born near Smyrna, in March, 1768. He graduated in medicine, but abandoned his profession to accept the office of clerk of the Supreme Court. On April 10, 1799, he entered the navy as midshipman, and was promoted to a lieutenant February 22, 1801. He was an officer of the frigate "Philadelphia" when she was captured in the harbor of Tripoli, in 1803, and was for eighteen months a prisoner. He was made commodore April 20, 1810, and when the War of 1812 broke out was in command of the sloop "Wasp." He was made post-captain March 3, 1813, and commanded the frigate "Macedonian," in Decatur's squadron. At the close of the war Commodore Jones commanded the Mediterranean and Pacific squadron, and was for some years a member of the Navy Board and Governor of the Naval Asylum at Philadelphia. He died at the latter city August 3, 1850.

larboard and fore-topsail braces, rendering the head-yards unmanageable during the remainder of the action. In a few minutes more her gaff and main-top-gallant-mast was shot away, and fell heavily to the deck; and at the end of twenty minutes from the opening of the engagement every brace and mast of the rigging of the "Wasp" was disabled. She was in a forlorn condition indeed, and had few promises of victory.

But while the "Wasp" was receiving these serious damages in her rigging and top, the "Frolic" was more seriously injured in her hull. The latter generally fired when on the crest of the waves, while the former fired from the trough of the sea, and sent her



COMMODORE JACOB JONES.

missiles through the hull of her antagonist with destructive force. The two vessels gradually approached each other until the bows of the "Wasp" rubbed against the "Frolic's" bows; and, in loading for the last broadside, the rammers of the "Wasp's" gunners were shoved against the sides of the "Frolic." Finally the combatants run foul of each other; the bowsprit of the "Frolic" passed in over the quarter deck of the "Wasp," and forcing her bows up into the wind. This enabled the latter to throw in a close raking broadside that produced dreadful havoc.

The crew of the "Wasp" was now in a state of the highest excitement, and could no longer be restrained. With wild shouts they leaped into the tangled rigging before Captain Jones could throw in another broadside, as he intended before boarding his enemy, and made their way to the decks of the "Frolic," with Lieutenants James Biddle and Rodgers, who, with Lieutenants Booth, Claxton and Rapp, had exhibited the most undaunted courage throughout the action. But there was no one to oppose them. The last broadside had carried death and dismay into the "Frolic," and almost cleared her decks of active men. The wounded, dying and dead were strewn in every direc-

tion. Several surviving officers were standing aft the most of them bleeding, and not a common seaman or marine was at his station, except an old tar at the wheel, who had kept his post throughout the terrible encounter. All who were able had rushed below to escape the raking fire of the "Wasp."

The English officers cast down their swords in submission, and Lieutenant Biddle, who led the boarding-party, springing into the main rigging struck the colors of the "Frolic" with his own hand, not one of the enemy being able to do so. The prize passed into the possession of the Americans after a contest of three-quarters of an hour, when every one of her officers were wounded, and a greater part of her men were either killed or severely wounded. Not twenty persons on board of her remained unhurt. Her aggregate loss in killed and wounded was estimated at ninety. The "Wasp" had only five killed and five wounded.

The "Frolic" was so injured that when the two vessels separated both her masts fell and with tattered sails and broken rigging covered the dead on her deck. Captain Jones placed Lieutenant Biddle in command of the prize with orders to take her to Charleston, while he pursued his voyage. As they were about to part company the British ship-of-war "Poictiers," of seventy guns, commanded by Captain John Poo Beresford hove in sight and captured both vessels. The "Wasp" and her prize were taken to Bermuda, where the American prisoners were exchanged, and departed for home.

The victory of the "Wasp" over the "Frolic" occasioned much exultation in the United States. The press teemed with laudations of Captain Jones and his gallant companions, and a stirring song, commemorative of the event, was soon upon the lips of singers at public gatherings, in bar-rooms, workshops, and even by ragged urchins.

The lines ran thus:

"The foe bravely fought, but his arms were all broken,
And he fled from his death-wound aghost and affrighted;
But the Wasp darted forward her death-darting sting,
And full on his bowom, like lightning alighted
She pierced through his entrails, she maddened his brain,
And he writhed and he groan'd as if torn with the cane;
And long shall John Bull rue the terrible day
He met the American Wasp on a Frolic."

A Philadelphia caricaturist materialized the idea and sent forth a colored picture called "A WASP ON A FROLIC, OR A STING FOR JOHN BULL," that sold by hundreds during the excitement of the public mind. Under the picture were the following lines:

"A Wasp took a Frolic, and met Johnny Bull,
Who always fights best when his belly is full.
The Wasp thought him hungry by his mouth open wide,
So, his belly to fill, put a sting in his side."

Captain Jones, upon his return to the United States, was received with demonstrations of gratitude and admiration. According to the usual custom, a court of inquiry was held on his conduct in giving up the "Wasp" and her prize, and the opinion of the court was, "That the conduct of the officers and crew of the 'Wasp' was eminently distinguished for firm-

ness and gallantry in making every preparation and exertion of which their situation would admit."

In the cities which Captain Jones had occasion to pass, brilliant entertainments were given in his honor. The Legislature of Delaware appointed a committee to wait on him with their thanks and to express "the pride and pleasure" they felt in recognizing him as a native of their State, and at the same time voted him thanks, an elegant sword and a piece of silver plate with appropriate engravings. The Common Council of New York voted him a sword, and also the "freedom of the city." On motion of Hon. James A. Bayard, the Congress of the United States appropriated twenty-five thousand dollars as a compensation to Captain Jones and his companions for their loss of prize-money occasioned by the recapture of the "Frolic." They also ordered a gold medal to be presented to the captain, and a silver one to each of his officers. On one side was a bust of Captain Jones. Legend: "JACOBUS JONES.—VIRTUS IN ARDUA TENDIT." On the reverse were two ships closely engaged, the bowsprit of the "Wasp" between the masts of the "Frolic." Men on the bow of the "Wasp" in the act of boarding the "Frolic."



"WASP" ON A "FROLIC."

The main-topmast of the "Wasp" shot away. Legend: "VICTORIAM HOSTI MAJORI CELERRIME RAPUIT. EXERGUE—INTER WASP, NAV. AMER. ET FROLIC, NAV. ANG. DIE XVIII OCT., MDCCCXII." Captain Jones also received a more substantial token of his country's approbation, by being promoted by Congress to the command of the frigate "Macedonian," which had lately been captured from the British and taken into the service. Lieutenant Biddle also shared in the honors—besides receiving thanks, was presented with a silver urn and medal.¹

But though our naval victories were thus glorious, defeat and disgrace attended the American army. Hull's expedition and surrender, the Queenstown de-

feat,² Smythe's strange inaction, retreat and failure, Dearborn's mortifying disasters in the Lake Champlain region, all contributed to rouse the spirit of the people and teach them needed lessons. A disciplined navy never failed; an undisciplined army never triumphed. Canada, the key of the situation, lay open to assault, and good generalship would have captured both the Upper and Lower provinces in a single campaign—thus, perhaps, changing the entire political history of the northern half of this continent. Inefficient commanders prolonged the war far beyond its natural duration.

Active operations on the Delaware had not begun in 1812; but precautions were nevertheless taken to guard against any surprise from the enemy. The Delaware Legislature met in special session at Dover on the 9th of November. The Governor announced that six hundred muskets, with bayonets and all the equipments necessary, had been delivered to the militia, and the remaining three hundred contracted for were ready for delivery. The Assembly, at this session, passed laws for distributing and keeping these arms, and then adjourned. In addition to these, the State received five hundred stands of arms from the government and equipments for five hundred muskets, as its quota in the general distribution of 1812, pursuant to the Act of Congress of April 23, 1808, "for arming the whole body of the militia of the United States."

On the 26th of December, 1812, the British government, by an order in Council, declared the Chesapeake and Delaware Bays to be in a state of blockade, and it was evident that a determined effort was to be made to "chastise the Americans into submission." Before the close of the year the United States war-vessels and privateers had captured three hundred and nineteen British ships, aggregating a value of \$12,680,000.³ And a regular army of fifty-five thousand men was put in the field, to be reinforced by volunteers. The country was divided into nine military districts, each under a district commander. Of these, Delaware and Pennsylvania, from its eastern limits to the Alleghany Mountains, composed the Fourth. Delaware Bay, having been specially selected by the British for military and naval operations, caused great excitement and anxiety along the coast.

The first commissions issued in 1813 by Governor Haslet, of Delaware, were granted on January 7th to Panter Laws as lieutenant and Thomas Pepper as ensign of a company of light infantry attached to the First Battalion of the Eighth Regiment. Two hundred and fifty stands of arms received from the gov-

¹ Col. James Gibson, distinguished for his services in the War of 1812, was born in South Milford, Sussex County, and died September 18, 1814, from injuries received in Brown's sortie from Fort Erie the previous day. He was made a captain May 2, 1810, and was appointed assistant inspector-general April 2, 1813, being promoted July 13th the same year to the office of inspector-general, with the rank of colonel. On February 21, 1814, was attached to the Fourth Rifles as colonel. Col. Gibson participated particularly in the attack on Queenstown Heights, October 13, 1812, and in the campaign on the Niagara frontier in 1814.

² Perkins' "Late War," p. 132.

³ Lossing's "Pictorial Field-Book of the War of 1812," pp. 449-53.

ernment were sent to Wilmington, the same quantity to New Castle, and one hundred and fifty to Lewistown; and equipments and ammunition for the use of the militia at those places were also forwarded. Collender Irvine, the superintendent of military stores at Philadelphia, also held five hundred muskets subject to the orders of the Governor, of which one hundred were ordered to New Castle, to the care of Brigadier-General Stockton; one hundred and fifty to Smyrna; to the care of Brigadier-General Davis; one hundred and fifty to Milton, to the care of Brigadier-General Fisher; and the remaining hundred were sent to Milford under care of the Governor. In Governor Haslet's message of January 13th, he informed the Legislature that, in accordance with an act of the Legislature, he had purchased nine hundred stands of arms, and delivered three hundred and twelve to New Castle, two hundred and seventy-six to Smyrna, and the remaining three hun-



CAPTAIN JAMES BIDDLE.

dred and twelve to Milton, the aggregate cost being \$14,025. As soon as this was known, applications for the use of arms for companies on training-days were at once received from Captain Kennedy, of Smyrna, Captain Wright, of Milton, Captain Adams, of Milford, and Captain Godwin, at the head of Cedar Creek.

In a report laid before Congress early in February, the entire force of Delaware was placed at seven thousand four hundred and fifty-one men, made up of six thousand four hundred and seventy-five infantry, and the remainder consisting of artillery, cavalry and riflemen. During the winter, however, this number was largely increased by commissions granted to volunteers. The British squadron which was to do

service in America in 1813 proceeded first to Bermuda with a large land force, and a heavy supply of bombs and Congreve rockets. Their first appearance in the waters of the United States was on February 4th, when they were seen in the Chesapeake standing towards Hampton Roads. The fleet consisted of four seventy-four-gun vessels, besides frigates, brigs and schooners of less formidable size. The most important of these were the "Marlborough," 74, Admiral Cockburn; the "Dragon," 74, Captain Berry; the "Poitiers," 74, Commander Sir John P. Beresford; the "Victorious," 74, Captain Talbot; "Acosta," 44, Kerr; "Junon," 38, Kerr; "Statira," 38, Stackpole; "Maidstone," 36, Burdett; "Belvidera," 36, Byron; "Narcissus," 32, Aylmer; "Lauristinus," 21, Gordon; "Tartarus," 20, Pasco; and others. All Southern Virginia was thrown into a state of excitement and turmoil, fearing that an attack would be made on Norfolk and Hampton. The fleet had only been there a short time, however, when the "Poitiers," the "Belvidera" and several smaller vessels, including the schooners "La Paz" and "Ulysses," all under the command of Commodore Beresford were sent to blockade the Delaware. Their work was quick and effective, and early in March Delaware Bay and River were in a state of complete blockade. The enemy began by committing depredations along both sides of the bay, and capturing and destroying the small craft that plied on the river. One of the most notable of their captures was the "Snapper," of Philadelphia, which was said to have received three hundred bullets from the three British frigates before she surrendered. The anxiety was intense in the regions blockaded. The specie in the banks of Wilmington and the branch of the Farmers' Bank at New Castle were sent to Philadelphia for safe-keeping. The invasion was too sudden, however, for the people or State and national authorities to make ample preparation. The blockading fleet burned all the smaller vessels they encountered, plundered and ransacked the houses along the shore and subjected the inhabitants, especially the women, to the most revolting insults. When they had been in the bay but a few days, committing all sorts of outrages upon a defenseless people and fixing buoys at various places, Commodore Beresford forwarded the following letter to Lewistown:

"His Britannic Majesty's ship 'Poitiers,'

"In the mouth of the Delaware, March 16.

"Sir:—As soon as you receive this, I must request you will send twenty five barrels with a proportionate quantity of vegetables and hay to the 'Poitiers,' for the use of his Britannic Majesty's squadron, now at this anchorage, which shall be immediately paid for at the Philadelphia price. If you refuse to comply with this request, I shall be under the necessity of destroying your town.

"I have the honor to be, Sir, your obedient servant,

"J. P. BERESFORD, Commodore.

"Commanding the British squadron in the mouth of the Delaware.

"The first Magistrate of Lewistown."

The receipt of this letter seemed to fire every heart in Delaware into a blaze of patriotism. Beresford's demand was defiantly refused and his letter was referred to Governor Haslet. He subscribed to the

patriotic position taken by the people of Lewistown and transmitted one of his characteristic letters to the commodore on March 23d, in which he said: "I have only to observe to you that a compliance would be an immediate violation of the laws of my country and an eternal stigma on the nation of which I am a citizen. A compliance, therefore, cannot be acceded to." The commodore was also informed that the people of Delaware could not hold any correspondence with the enemy without subjecting themselves to the penalties of treason. To this the commodore replied that his request was no more than "magnanimity" demanded should be observed by one nation at war with another, and added, "it is in my power to destroy your town, and the request I have made upon it as the price of its security is neither distressing nor unusual. I must, therefore, persist, and whatever sufferings may fall upon the inhabitants of Lewistown must be attributed to yourselves, by not complying with a request so easily acquiesced in." But the people of that heroic town silently prepared for the defense of their homes and laconically replied, "We solemnly refuse to commit legal or moral treason at your command. Do your worst." From Philadelphia to the ocean men and women worked with zeal and ardor to repel the attacks of the enemy.¹ Along the Jersey shore there was less activity than elsewhere, owing to the fact that thickly-settled towns were rare; but whenever an opportunity presented itself for defending their property, the citizens were eager to seize it.

At Philadelphia the necessary preparations for defense were enthusiastically made and volunteers gladly enlisted to man Fort Mifflin, the regular force having been taken to the West under Colonel Izard and Lieutenant-Colonel Winfield Scott, only fourteen invalids remaining behind.

Throughout the entire State the people rose in their might to protest against the insolence of the British and to give material form to their protests by shouldering arms in defense of their country. On the Sunday following the receipt of Commodore Beresford's letter, the citizens of Dover assembled in response to the drummer's call to arms. Every able-bodied man, of all ages and opinions, religious and political, responded, and nearly five hundred men mustered for service. Foremost among them was Jonathan McNat, who, with many others who had fought in the Revolution and now bent with age,

came from the surrounding country to render whatever services were still in their power. McNat, whose years had told heavily on his strength, threw aside his cane, and, with a musket on his shoulder, went through the entire drill. Although the day was Sunday and the old man was "a worthy member and strict observer of the rules of the Methodist Church," he returned to his home and spent the afternoon making ball cartridges. His example served as an incentive to the younger members of the community, who enlisted with the greatest enthusiasm. At Smyrna similar demonstrations occurred and the people were soon busied in the preparations for defense and the manufacture of munitions of war. The veteran, Captain Bennet, of the famous "Delaware Blues," was placed in control of measures to be taken at New Castle and the battery that was erected close to the town. He was made colonel of the militia and soon had a well-disciplined force of infantry and artillery. Wilmington placed Colonel Allen McLane in command of all defensive proceedings.² In the meantime the enemy continued their depredations. The sloop "Eliza and Mary," from Philadelphia, for Lewistown, was burnt near Cedar Creek, and a packet from Charleston was run ashore at the mouth of Town Creek and also burned. The militia of Lewistown and Milton managed to save a schooner belonging to Colonel Payner, which was attacked in the same vicinity. The brig "Concord," Captain Stellwaggon, was boarded by a midshipman and seven men from a tender of the blockading squadron, but he finally secured them and escaped up the bay under a heavy fog. Captain Burton, of the sloop "New Jersey," was captured by the tender of the "Ulysses," but afterwards managed to escape with his vessel.

Governor Haslet at once summoned the militia to defend Lewistown, and in a few hours a thousand men were stationed there under arms. A scarcity of ammunition was soon turned into an abundance by the industry of the citizens. Wilmington sent Captain Warner, of the Wilmington troop of horse, with his company, to assist in the defense of the town. Many volunteers joined them, among them being Cap-

² The following communication appeared for the first time in public print March 12, 1813, in an answer to certain reports reflecting on the patriotism of Colonel McLane: "Allen McLane was appointed captain in one of the sixteen additional Continental Regiments of foot soldiers in the beginning of the War of 1777, and by his activity and industry soon joined the army with a full company. Upon the dissolution of the Sixteenth Regiment and the incorporation of the officers and men into other corps, Captain McLane was, in July, 1779, appointed to the command of the infantry of Major Isaac's partisan legion. Major McLane was early active in the cause of his country, and from the time of joining the Continental army I can testify that he distinguished himself highly as a brave and enterprising officer. During the siege of Yorktown he was intrusted by the Board of War with the delivery of dispatches of importance to His Excellency, the Count De Grasse, which commission he executed with great celerity, and was afterwards very serviceable in reconnoitering and bringing intelligence of the strength and disposition of the British fleet off the Chesapeake. On the dissolution of the army, he was retired upon half pay for life.

"Given under my hand and seal at Philadelphia, December 13, 1783.

"GEORGE WASHINGTON."

¹ Fort "Union," for the defense of Wilmington, was erected in March, 1813, by the gratuitous labor of the citizens of the town and vicinity. James A. Bayard with his own hand assisted in its construction. The fort, says an old chronicler, commanded the Christina against any force that might come up the stream. An artillery company was formed at David Brinton's tavern, at Fourth and Market, on Wednesday evening, March 19, 1813, "for the defence of the borough." The arsenal of Wilmington, then situated out of the borough limits, in what is now Washington Street, above Eighth, was the place of rendezvous for the military companies. Thomas Robinson, major-general of the State militia, on March 27th, appointed Samuel H. Black and Isaac Gibbs aids-de-camp. April 7th, four American gun-boats arrived at New Castle for the "protection of the river craft." On April 12th, for the first time, the steamboat "Delaware" made a trip to Philadelphia, and returned the same day.

On April 24th the Committee of Safety appointed Captains Thomas and Black, Caleb Green, Enoch Moore, Paul McGinn and William Shipley to procure "men to man the gunboats in the harbor at Wilmington for its defence."

tain Hunter, of Philadelphia, and Major Robert Carr, of the United States army. The Veteran Corps, of Wilmington, under the command of Colonel McLane, were ordered to assemble at the corner of Second and French Streets at three o'clock P.M. on the 24th, to march to the ground where the battery was being erected, near the Christiana and Brandywine, to exercise with ball and cartridge at a floating target. In the same town, a "committee of safety" was organized, including, among its members Messrs. James A. Bayard, George Monro, Outerbridge Horsey, Dr. James Tilton, Cesar A. Rodney and William P. Brobson. During the existing emergency they fixed upon the arsenal as a place of general rendezvous, and established a signal in case of alarm, consisting of the ringing of the town bell, two discharges of cannon and the beating of drums at the same time. Another precaution was the extinction of the lights in the light-house on Cape Henlopen, which was ordered by the Secretary of the Treasury, through Colonel Allen McLane, collector of the district of Delaware. On April 24th the Philadelphia County Cavalry, Captain James Miles, marched from Philadelphia to Lewes, and the next day other companies and regiments were ordered to hold themselves in readiness to march under the command of General R. Wharton. The British still lay in the Delaware, continuing their petty destruction and going to greater extremities whenever an opportunity presented. About the last of March they captured the "Montesquieu" off the Capes, which paid them well for their trouble. The ship belonged to Stephen Girard, of Philadelphia, and had sailed for Canton in 1810. She was now returning laden with a cargo valued at one and a half millions of dollars. The captain was unaware that war had been declared, and when almost at home the vessel was captured. Girard afterwards ransomed it for one hundred and eighty thousand dollars in specie.

On April 6th, Governor Haslet convened the Legislature in extra session, and informed them of the particulars concerning Commodore Beresford's demands on Lewistown, and the measures taken by himself for its defense. He stated, however, that he had proceeded no farther than the emergency required, and asked the Assembly to take such action as might be deemed expedient. The matter was placed in the hands of a committee of five. On the same day the bombardment, which had threatened Lewistown for three weeks, was begun by the British.¹ Late in the afternoon the "Belvidera" and two small vessels bore down on the town and began the attack by firing a number of thirty-two-pound shot. These

were followed by a flag of truce from Captain Byron, of the "Belvidera," renewing the demands made on March 16th, with the additional request of a supply of fresh water. Colonel Davis, who was in command of the troops of the town, immediately replied as follows:

"HEADQUARTERS, LEWISTOWN, April 6th.

"Sir: In reply to the renewal of your demand, with the addition for a supply of water, I have to inform you that neither can be complied with. Thus, sir, you must be sensible of; therefore I must insist that the attack on the inhabitants of this town is both wanton and cruel.

"I have the honor to be your most obedient servant,

"S. B. DAVIS, Col. Com."

Captain Byron immediately replied to this in the following letter:

"BELVIDERA," off the village of Lewistown, April 6th.

"Sir: No dishonor can be attached in complying with the demand of Sir John Beresford to Lewistown in consideration of his superior force. I must, therefore, consider your refusal to supply the squadron with water, and the cattle that the neighborhood affords, most cruel on your part to the inhabitants. I grieve for the distress the women and children are reduced to by your conduct, and earnestly desire they may be instantly removed.

"I have the honor to be, etc.,

"R. BYRON, Captain

"S. B. - The cattle will be honorably paid for.

"S. B. DAVIS, Col. Com."

The only reply that Colonel Davis vouchsafed to this was this verbal message that "Colonel Davis is a gallant man, and has already taken care of the ladies." As soon as this reached Captain Byron he began the attack. The fleet consisted of four launches, with twenty-four and eighteen-pounders, two sloops with thirty-two-pounders, and a mortar, a pilot boat with six-pounders, the schooner "Paz" with twelve twelve-pounders and the frigate "Belvidera." On the night of the 6th the bombardment was continued until ten o'clock. Colonel Davis directed the operations with skill and energy from the position of vantage on which Lewistown was situated. One of the enemy's most dangerous gun-boats was soon disabled by the well-directed shot from a thirty-two-pounder. Being ignorant of how long the attack might continue, a dispatch was forwarded by Colonel Davis to the Governor requesting a supply of powder and shot. Governor Haslet at once left Dover for headquarters to command the militia. Powder was plentifully supplied from Du Pont's mills at Wilmington, while the balls from the enemy's guns were dug out of the sand by the boys and returned to the enemy from the shore batteries. The bombardment continued for twenty-two hours. The British fired nearly eight hundred thirty-two and eighteen-pound shot into the town, in addition to shells and Congreve rockets. The rockets passed high over the houses without effect, while the bombs fell short of their mark, and were equally harmless. A few houses were

¹ Col. Samuel B. Davis was born in Lewes, March 25, 1776, and died September 6, 1854. He married abroad and served in the French navy with the rank of captain. He returned to this country late in the eighteenth century and settled in New Orleans, where he amassed considerable wealth, and became prominent in public affairs. In 1812 he offered his service to the government, and commanded the militia of Lewistown. He was commissioned lieutenant colonel of Thirty-second United States Infantry, March 17, 1813. He was subsequently transferred to the Forty-fourth Infantry and promoted to the colonelcy. He commanded at Sandy Hook, also at Fort Philip in 1815, and resigned from the army in 1819, and settled in Wilmington. He removed to Philadelphia in 1839, was a member of the General Assembly of Pennsylvania in 1831, for two terms, and returned in 1831 to Delaware, where he died.

¹ Rev. Dr. Thomas Read, the pastor of the First Presbyterian Church, was conducting the regular morning service when the messenger with great speed brought the news, in 1813, that the British were about to attack the town of Lewes. All Wilmington was thrown into commotion, and in response to the summons several military companies started that Sunday on the march to meet the enemy. In the afternoon the patriotic pastor assembled his congregation and preached an eloquent sermon from the following words: "And the messenger came to Saul, saying, haste ye and come, for the Philistines have invaded the land."

damaged, but no one was wounded. A few days after the engagement a list of "killed and wounded" was humorously prepared by a wag, and the enumeration consisted of "one chicken killed and one pig wounded, leg broken." The inhabitants of Lewistown conducted themselves coolly and bravely. The pilots who were stationed near by were deserving of the highest praise.

On the afternoon of the 7th the sailors from the British squadron attempted to land in a number of small boats. The militia on the beach gave them such a warm reception, however, that they gladly beat a hasty retreat. On the 8th the enemy withdrew to the Capes.

Defensive measures continued throughout the State. At Wilmington the citizens and those in the vicinity built Fort Union. It commanded the Christiana, and made any approach to the city extremely perilous. Several gun-boats left New Castle for Bombay Hook to patrol the surrounding waters. The Legislature had also been busily engaged in considering the means of defense. The committee, which had been appointed on April 6th to consider Governor Haslet's message, handed in an extensive report on the 9th. They had, during the interval, been informed of the attack on Lewistown, and were influenced by it in their deliberations. Mr. Clayton, who prepared the report, severely reprimanded the general government "for not having taken greater pains to protect the coast of Delaware, as the State was exposed for a distance of one hundred miles, and liable at any moment to an attack from the enemy." No aid had been furnished, with the exception of the loan of a few hundred muskets. The bombardment of Lewistown was announced to the President by a dispatch from the Governor of the State, and a request was forwarded for ordnance and ammunition, but, as yet, no response had been received. In view of these considerations, in addition to the probability that the enemy's attacks would be renewed on Lewistown and other exposed places, the committee submitted the following resolutions:

"Be it resolved unanimously by the Senate and the House of Representatives of the State of Delaware, in General Assembly met, that the President of the United States be requested, and he is hereby requested that immediate means be taken to aid and assist to defend the State against the common enemy of the United States, and that the militia of the State be supplied with common powder, ball, muskets, bayonets, flints, bullet-moulds, lead, camp-kettles and all other munitions of war and provisions necessary for men fighting against the enemy of the United States.

"Resolved, unanimously, that the President of the United States be requested to give to the Governor an order to call into service the detached militia of this State for the defense thereof, and that the pay and subsistence of the militia of this State in actual service be put on the establishment of the United States.

"Resolved, unanimously, that the President of the United States be requested to order to the Delaware a sufficient naval force for the defense thereof."

These resolutions produced the desired effect, for when the Assembly met on April 25th, the Governor was able to state that the United States had loaned the State four eighteen-pounders for the defense of Lewistown, and cannon and ammunition for New Castle and Wilmington. He had besides received a

letter from General Bloomfield, in which he mentioned that three hundred and fifty men of the Pennsylvania militia had been ordered to Stanton, from which place they would send daily patrols to New Castle, Wilmington and the Maryland line. In consequence of this he discharged the militia employed up to that time in defending Lewistown, with the exception of a company of the inhabitants of that place, who manned the batteries, and a small detachment of cavalry. Arrangements were also made to have these placed in the pay of the United States. It was in this same message that the first suggestion was made to use the Pea Patch as the site for a fort. The Governor advised the appropriation of a sum of money for the erection of fortifications on the island, believing that Pennsylvania and New Jersey would follow. As the United States would not build a fort on any site not belonging to the general government, Delaware soon ceded the island to the United States.

On April 27th Assistant Adjutant-General C. K. Gardner announced the appointments for the various military districts. Those of the Fourth, consisting of Pennsylvania and Delaware, were Brigadier-General Joseph Bloomfield, commander; William Duane, adjutant-general; Lieutenant Robert Dunn, of the Twenty-second Infantry, assistant adjutant-general; William Linnard, deputy quartermaster-general; Captain Henry Philips, Sixth Infantry, district paymaster; Lieutenant Thomas Clark, Second Artillery, assistant topographical engineer; John B. Waldron, assistant deputy commissioner of ordnance; Cadwallader Irvine, commissary-general of purchases; and Richard Parker, military storekeeper at Carlisle, William C. Bennet at New Castle, and D. Kirkpatrick at Wilmington.¹

¹ In the mean time, on February 14, 1813, the Governor commissioned the following officers: In the Fourth Troop of Cavalry, attached to the First Brigade—Lewis Jameson, captain; Thomas Ford, first lieutenant; Jesse Dushane, second lieutenant; and John Ford, cornet. On March 10th he commissioned for the Eighth Company, Fifth Regiment—Thomas Condy, captain; Richard Coker, lieutenant; Markline Clark, Jr., ensign. On April 15, 1813, Charles Brinkley was commissioned ensign in the place of Clark, resigned. On April 7th the Governor commissioned Cesar A. Rodney captain of the Second Company of Artillery attached to the First Brigade, with Archibald Hamilton as first lieutenant and Allen Thompson as second lieutenant. On April 9th Heson Webb was commissioned lieutenant of First Company, Third Regiment, with James Hanson as ensign. On April 13th John Killen was commissioned captain of the Fourth Company, Fifth Regiment, with Peter Meredith as lieutenant and George Cuthbridge as ensign. On April 13th Moses Lippie was commissioned lieutenant of the Sixth Company, Fifth Regiment, and Jacob Boon ensign. On April 14th Mitchell Derrickson commissioned cornet of the troop of cavalry commanded by Captain William Shankland and attached to the Third Brigade; Luke Jacobs, was commissioned lieutenant of the Sixth Company, Tenth Regiment; Gelly G. Short, ensign of Eighth Company, Eighth Regiment; Richard Corby, captain Sixth Company, Third Regiment, and John Everet, ensign of the same company. On April 20th William Wilson was commissioned ensign of the Fifth Company, Sixth Regiment, and on April 27th Benjamin Jackson, lieutenant and Peter Adams, ensign of the Seventh Company, Fifth Regiment. On April 20th Arthur Milby was commissioned first lieutenant, Mitchell Derrickson, second lieutenant, and Benjamin Burton, cornet, of the troop of cavalry attached to the Third Brigade. On the same day Kleck Hazzard was commissioned lieutenant, and William Fitchelt, ensign of Seventh Company, Eighth Regiment; James Conwell, lieutenant, and Thomas Goslin, ensign of First Company, Ninth Regiment. On the 30th William Martin, Jr., was commissioned lieutenant and Benjamin Harrington ensign of the Seventh Company, Sixth Regiment. On May 3d Grossum was commissioned captain, John Orr, first lieutenant, and David McIlvaine, second lieutenant, of the artillery company attached to the Third Brigade. On May 5th William Hamilton was commissioned lieutenant and James

On April 12th, Governor Haslet, in consequence of the danger then threatening, organized the militia of the State, pursuant to the requisition of the President of the United States, into the following companies: Amwell Long, Tenth Regiment, colonel; John Moody, Third Regiment, and Cornelius P. Comegys, Fifth Regiment, majors. The officers of the First Company, First Regiment, were William Moore, captain; John Whiteman, lieutenant; and John Morgan, ensign, with thirty-six non-commissioned officers and privates. The Second Company, First Regiment, consisted of Jacob Sharply, captain; Amor Talley, lieutenant; and Davis C. Wilson, ensign, with sixty-one non-commissioned officers and privates. The Third Company, First Regiment, was officered by Joshua Holmes, captain; James Jordan, lieutenant; and James Armor, ensign, with sixty-four non-commissioned officers and privates. The Second Regiment consisted of George R. Massey, captain; John Graves, lieutenant; Sam'l Fergusson, ensign, and sixty-one non-commissioned officers and privates. The Third Regiment consisted of Isaac Gibbs, captain; William Bowman, lieutenant; John Taylor, ensign, and seventy-seven non-commissioned officers and privates. The Fourth Regiment was officered by James Chippen, captain; Joseph Parsons, lieutenant; James Hart, ensign, with eighty-one non-commissioned officers and privates. The officers of the First Company, Fifth Regiment, were Benjamin Wallace, captain; William Seney, lieutenant; Peter Meredith, ensign, with forty-eight non-commissioned officers and privates. The Second Company, Fifth Regiment, consisted of Philemon Green, captain; Thomas Candy, lieutenant; Draper Voshell, ensign, with forty-nine non-commissioned officers and privates. The Sixth Regiment was composed of John Booth, captain; Reuben Anderson, lieutenant; Archibald Cahall, ensign, and eighty non-commissioned officers and privates. The Seventh Regiment was officered by Stephen Redden, captain; James Deputy, lieutenant; John Hayes, ensign, and sixty-five non-commissioned officers and privates. The First Company, Eighth Regiment, consisted of Peter F. Wright, captain; John Swain, lieutenant; Cornelius Coulter, ensign, and sixty-seven non-commissioned officers and privates. The Second Company, Eighth Regiment, was composed of John Kolloch, captain; Jehu Hill, lieutenant; Nottingham Wine, ensign, and sixty-five non-commissioned officers and privates. In the Ninth Regiment, Josiah Polk was captain; Henry Wallace, lieutenant; and James Conwell, ensign, with sixty-four non-commissioned officers and privates.

Hopkins, ensign of Sixth Company, Sixth Regiment. On May 5th William B. Spicer was commissioned lieutenant of Sixth Company, Eighth Regiment; May 7th Samuel Murphy, lieutenant, and John Griffin, ensign of First Company, Fourth Regiment; May 8th John Wright, captain; John Snow, lieutenant, and Bethel Watson, ensign of Eighth Company, Fourth Regiment; May 10th Stayton Morris, captain, John Watson, lieutenant, John Gordon, ensign, Eighth Company, Fourth Regiment; May 12th David C. Wilson, captain, Samuel Alrich, lieutenant, Evan Cox, ensign, Third Company, First Regiment, and Daniel Harrington, lieutenant, and William Carders, ensign, First Company, Eighth Regiment.

The officers of the Tenth Regiment were Benjamin Burton, captain; Isaac Cannon, lieutenant; Joseph V. Crockett, ensign, and sixty-six non-commissioned officers and privates. Of the two companies of artillery, the First Company consisted of Caleb P. Bennet, captain; James R. Black, lieutenant, and twenty-eight non-commissioned officers and privates; and the Second Company, of James Stuart, captain; John Many, first lieutenant; Waitman Lippie, second lieutenant, and thirteen non-commissioned officers and privates. A company of cavalry was also organized under James Miles, captain; Henry Whitely, first lieutenant; John Herdman, second lieutenant, and twenty-three non-commissioned officers and privates.

On April 28th, the Secretary of War having made the following requisition on the detached militia of the State, the Governor gave the necessary orders: Infantry, one lieutenant-colonel, one major, three captains, three first lieutenants, three second lieutenants, three third lieutenants, three ensigns, three hundred rank and file, one surgeon's mate; artillery, two captains, two first lieutenants, two second lieutenants, two third lieutenants, two ensigns, two hundred rank and file and one surgeon's mate, all to rendezvous at New Castle as quickly as possible, and to report to General Bloomfield, commander of the district. Lieutenant-Colonel Amwell Long was placed in command of the detachment ordered out, and with him were sent Major John Moody, Captain Isaac Gibbs, Lieutenants James Jordan, William Bowman and John Grove, Ensign James Armor, and all the non-commissioned officers and privates detached from the Third Regiment and from the respective companies of Captains Beeson and Crips in the First Regiment; also Captain John Booth, Lieutenants Joseph Parsons, Reuben Anderson and William Seney, and Ensign Draper Voshell, and all the non-commissioned officers and privates detached from the Sixth Regiment and from the Second and Fourth Companies of the Fourth Regiment; Captain Josiah Polk, Lieutenants James Deputy, Isaac Cannon and Jehu Hill, and Ensign Joseph V. Crockett, and all the non-commissioned officers and privates detached from the Ninth Regiment; Captain Caleb P. Bennet, First Lieutenants James R. Black and John Many, Second Lieutenant Waitman Lippie, and all the non-commissioned officers and privates detached from the respective companies of artillery attached to the First and Second Brigades. The number of artillery, however, fell short of that required by the requisition, and on May 13th the Secretary of War ordered the Governor to make up the deficiency in infantry, and, in case of emergency, call forth another battalion of drafted militia composed of the same number of officers and privates as was demanded in the former requisition. Governor Haslet considering that such an emergency then existed, at once issued general orders ordering Captains Joshua Holmes and William Moore, Lieutenants Armor, Tally and John Whiteman, Ensigns Samuel Fer-

guson and John Taylor, and all the non-commissioned officers and privates of the First and Second Regiments; and Captain Philemon Green, Ensign James Hart, and all the non-commissioned officers and privates of the Fourth and Fifth Regiments to rendezvous immediately at New Castle. Major Cornelius P. Comegys, Captains Benjamin Burton and Stephen Redden, Lieutenants John Swain and Henry Wallace, and Ensigns John C. Hayes and James Conwell, and all the non-commissioned officers and privates of the Seventh, Eighth and Tenth Regiments were ordered to rendezvous at Lewistown. In addition to these, four lieutenants from the regiments composing the First Brigade and three from those composing the Second Brigade were ordered to New Castle, and four lieutenants from the regiments composing the Third Brigade were ordered to Lewistown.

April 29th and May 3d the British ships in the Chesapeake landed parties which burned and plundered Frenchtown and Havre de Grace, then depots of quite a lively trade between Wilmington and Baltimore. A little later they burned Georgetown and Fredericktown, on the Susquehanna River. Coasting and bay trade was stopped, and the name of Admiral Cockburn became a terror. Commodore Beresford, with his squadron, was in Delaware Bay, and alarms were frequent along the shores, caused by marauding parties of the enemy seeking provisions and fresh water. Col. Davis' force of militia was active and vigilant, but without gun-boats, unable to be everywhere present. The enemy, selecting the time and place for his raids, frequently succeeded in stealing sheep, poultry and some cattle; but to secure a supply of fresh water required so much time that, through the vigilance of the settlers, information was signaled, and a force despatched which always succeeded in driving the enemy from the fresh-water ponds. Gov. Haslet, recognizing the gallantry and skill of Col. Davis, complimented that officer and his command by letter of April 19, 1813, for the zeal, activity and patience with which he had defended the State. If the people of the State were kept in continual apprehension by the enemy, the situation of the British was not altogether satisfactory. The removal of buoys rendered the navigation of the crooked and tortuous channel difficult for all classes of vessels and impossible for the large ships of the fleet, which could only lay off and on at the capes, suffering for fresh provisions and water.

Commodore Beresford's squadron sailed for Bermuda late in April and left in their place the "Statira" and the "Spartan" frigates, and the "Martin" sloop-of-war, with some tenders and barges, commanded by Commodore Stackpoole. On Sunday, the 29th of May, these vessels stood up the Delaware with a fair wind. Expresses were immediately sent out to alarm the country. The Delaware volunteers assembled. The Philadelphia Independent Blues were ordered to march from Camp Staunton to New Castle.

The other companies stood upon their arms, ready for service in whatever direction they should be needed. The British forces contented themselves with stretching up the bay as far as Reedy Island, where they captured and burnt some shallops and small craft, and then returned.

On the 13th of May the first detachment of volunteers had marched from Philadelphia to Delaware, under the command of Col. Lewis Rush. It consisted of the Philadelphia Blues, Capt. Henry Myers; the Independent Volunteers, Capt. Samuel Borden; and the Washington Guards, a crack company. Each of these companies consisted of one hundred privates, fifteen officers and two musicians. In four days they



WASHINGTON GUARDS.

reached Staunton, on the Baltimore road, six miles below Wilmington. Here a permanent encampment was formed under the command of Gen. Bloomfield, but the affair of May 29th showed the necessity of giving protection to those portions of Delaware higher up the river. It was rumored that the enemy intended to make an attempt to destroy Dupont's powder-mills on the Brandywine. Col. Rush was ordered to take up a new position on Shellpot Hill, three miles north of Wilmington and one mile from the Delaware River, covering the place of debarkation at Hamilton's Landing. On the 2d of June Camp Staunton was abandoned, and the troops marched to Camp Shellpot, where they continued until about the 12th of July, when they took up a new station at Oak Hill, near Stille's Run, four miles west of Wilmington and four miles south of Du Pont's powder-mills. After the British descended the Chesapeake Bay, Camp Oak Hill was broken up, and on the 28th of July the Philadelphia troops reached home.

While these movements of the militia were taking place, and other measures of defense promoted, the British squadron had by no means left Delaware Bay; in fact, it was their presence that inspired the people to energetic action. On one occasion the British forces ran a shallop into Cohansey Creek, and an officer proceeded to Bridgeton, New Jersey, representing that he had come as a flag of truce. The American officers stationed there were suspicious, however, and accompanied him to his boat, where they found about fifteen hogsheads filled with water from the creek. The officer and crew were taken into custody and the shallop condemned as a prize.¹

On the night of April 21st considerable alarm was spread among the people living in the vicinity of Little Creek. The schooner "Pilgrim," a tender of the "Poictiers," sailed up the bay and anchored off the mouth of the creek, while a barge with twenty-two men was sent up as far as Taylor's Gut. Two men landed, one of whom proved to be a New England captain, who stated that he was a prisoner on the "Poictiers," and had been promised his freedom if he succeeded in procuring a supply of food. His story was not credited, however, and he and his companion were held as prisoners. On the morning of the 22d the "Pilgrim's" lieutenant came up with fourteen men and a flag of truce to Little Creek Landing and endeavored to secure the release of the two men. They were unsuccessful in this, and for the next thirty-six hours sought revenge by committing every possible depredation on the property of those residing along the creek. Although entirely cut off from assistance, and destitute of a supply of arms and ammunition, the people arose to a man and offered a resolute opposition to the incursion, and finally drove the marauders off. The American captain was lodged in jail at Philadelphia. On April 29th several hundred of the British landed at Fishing Creek, on the Jersey shore, and before a force could be gathered to oppose them, they had seized one hundred and twenty-nine sheep and forty-five cattle and departed. These robberies and attacks continued until about the middle of May, when, as has been stated, the "Poictiers" and "Belvidera" sailed for the Bermudas for a supply of fresh water, of which they had long been in need. Just before sailing from the Capes, however, they made one last attempt, and lowered their barges to go into Newbold's Point. Col. Davis anticipated their intention and sent a hundred and fifty men from Lewistown to the Point, and frustrated their plans. As soon as they had put out to sea, all the buoys which they had placed in the bay were immediately taken up by the Americans.

It was about this time that the government recognized the genius of one of Delaware's most famous statesmen and honored Senator, James A. Bayard, with an appointment as one of the commissioners to negotiate a treaty with Great Britain.² Napoleon's un-

successful campaign of 1812, and his retreat from Moscow had greatly increased Russia's prestige. President Madison, who had always been anxious for peace, therefore eagerly seized the opportunity offered by M. Daschkoff in proffering the mediation of Russia as a means of settling the dispute about which war was then raging between Great Britain and the United States. In conjunction with Mr. Bayard, he appointed Albert Gallatin, then Secretary of the Treasury, as a second commissioner, both to confer with John Quincy Adams, then the American minister at St. Petersburg. As soon as these appointments were announced, the Russian secretary of legation at Washington left for the Delaware capes and arranged with the British squadron for the sailing of the commissioners, and in May, 1813, Messrs. Bayard and Gallatin left New Castle in the cartel ship "Neptune" for St. Petersburg.

Commodore Stackpoole, with his fleet, continued their predatory attacks on both sides of the bay, to the general annoyance and uneasiness of all the inhabitants. The universal complaint was, that the country was too sparsely settled to render any concerted action possible, and while a considerable force might be mustered at a particular spot, the enemy could sail up or down the bay and commit whatever devastation they desired before the land force could be moved. To prevent this, the Philadelphia Committee of Defense began to organize a fleet of gun-boats to cruise in the Delaware River and Bay.

A rumor that the British intended to make a bold attack on the numerous manufacturing establishments on the Brandywine induced Governor Haslet to form two emergency companies for their protection. On May 15th he issued a number of warrants to officers of these companies, of which the following is a copy:

"DOVER, May 15, 1813.

"Joseph Haslet, Governor of the State of Delaware:

"To ———, greeting.

"Know you that in consequence of the imminent danger to which this State is now subject by reason of a threatened invasion thereof by the British squadron now lying in the Delaware, and of the great interest which the public has in the preservation of the manufactures on the Brandywine, I have thought proper during the exciting emergency by warrant to recommend you to be ——— of a company to be formed of the manufacturers employed at the factories on the Brandywine in ——— Hundred in New Castle County.

"This authority is not to interfere with any provision of the militia laws of the State, and is to continue only during the continuance of the present threatened invasion, and no person belonging to the company formed under the recommendation is in consequence to be exempted from any militia duties to which such person would otherwise be liable.

"JOSEPH HASLET."

Those to whom warrants were issued for offices in the Christiana Hundred, all being manufacturers employed on the Brandywine, were Eleuthen Irene Du Pont, captain; Raphael Duplanty, first lieutenant; James Phelps, second lieutenant; George Hodgson, third lieutenant; Charles Dalmar, ensign. The officers appointed in Brandywine Hundred were Victor Du Pont, captain; Vidal Garresche, first lieu-

committee of Safety of Wilmington to take the place of James A. Bayard. Victor Du Pont was chosen a member of the Committee of Safety May 20th.

¹ *Niles' Register*, vol. iv., p. 150.

² Captain John Warner, on May 18th, was elected a member of the

tenant; Nathaniel H. Clifford Perkins, second lieutenant; Richard Hambly, third lieutenant; and Charles Du Pont, ensign.¹

On May 4, 1813, Col. Allen McLane, commandant at Wilmington, addressed the veteran corps as follows:

"You shall be ready to march at a moment's notice, at the alarm post in Wilmington, fully equipped. The savage enemy are approaching with fire and sword. They have burned the storehouses and merchandise on the Elk River, wantonly distressed by fire the beautiful village of Havre-de-Grace, and threaten us here in our habitations with death and destruction of property; you require no other stimulus to duty. Your officers pledge themselves to do their duty, and rely on your individual and collective support."

The Committee of Safety, on May 5th, appointed Park Mason, John M. Smith, Thomas McConnell, Wm. French, Allen Thomson, Abraham Sharpe, George Taylor, G. James Wolf and Paul McGinn a committee to report the arrival of strangers in Wilmington.

On May 6th intelligence was received in Wilmington of the landing of the British near Georgetown in fifteen barges, and the burning of the residence of Joshua Ward. A general meeting of citizens was held at the Town Hall, and measures adopted for the defense of the place. An appropriation of five thousand dollars was made by the Legislature for the defense of New Castle, and Caleb P. Bennet was appointed commander of the town. On May 15th, Governor Haslet, by order of the War Department, directed the companies of Capt. Joshua Holmes and William Moore, of the First and Second Regiments, to march to New Castle.

Among those who participated in the hottest of the engagement at Fort George in Canada, in the early part of June, 1813, was Captain Thomas Stockton,² son of Gen. Stockton, of Wilmington. Six of his company were killed and seven wounded. Captain Stockton also distinguished himself in the battle of Lundy's Lane, where a brother of his was killed.

Lieutenant Samuel Angus, with nine gunboats and two armed sloops, fitted out by the Philadelphia Committee of Defense on June 16th made an attack on the British squadron, consisting of two frigates, lying off Fishing Creek, and made them change their position. About the same time (June, 1813) the sloop "Rebecca," of Milford, loaded with corn for Wilmington, was boarded near Milford by one hundred British soldiers in two launches. After her capture the corn was taken out and the vessel burnt. Captain Redden, who commanded a company of militia near the "Rebecca," fired on the British, which they returned, killing one man and wounding Captain Redden in

the thigh. Captain Adams, of the Delaware militia, arrived at the scene of action as the enemy moved off.

An exciting chase occurred on Thursday, July 22d. An American sloop was about entering the Capes, when the "Martin," of the British squadron, gave chase. The sloop signaled for a pilot to Cape May, and seven pilots and a whale-boat immediately came to her assistance. The "Martin" continued her chase however, and the captain of the sloop saw no alternative but to run her ashore. The whale-boat was sent in advance to ask for assistance and this brought Lieutenant Townsend to the beach with a field-piece and about thirty men. The "Martin" sent her barges and tender to continue the chase, but the grape from the field-piece soon drove them off. The sloop-of-war in attempting to come to their assistance ran aground on Crow's Shoals, but the Americans had no gun-boat in the neighborhood to secure the prize.

The troops at Camp Shellpot remained there until July 12th, when they again changed position, this time taking up quarters at Oak Hill, near Stille's Run, four miles west of Wilmington. Here they remained until late in July, when the British squadron which had been blockading the Chesapeake left and the Philadelphia troops returned to their homes, arriving in that city on July 28th.

On the 29th the Delaware flotilla had an encounter with the "Martin" and "Junon," which resulted in the loss of gun-boat "121." Early in the morning Lieutenant Angus, while lying off Dennis' Creek, discovered that the "Martin" had chased a small vessel and captured her near the overfalls. In accomplishing this, however, she had gone ashore on Crow's Shoals, and Lieutenant Angus at once stood down the bay for the purpose of bringing about an engagement. When within three-quarters of a mile of the sloop he drew up the whole flotilla, consisting of eight gun-boats, each with twenty-five men, two block sloops and one long thirty-two. The "Junon," thirty-eight, a heavy frigate, Captain Sanders, came to the assistance of the "Martin," and anchored about half a mile away. The cannonading continued for an hour and three-quarters. The British did little harm, their balls flying over the flotilla, while their hulls began to feel the blows from the American guns. They then manned two launches and eight barges and cutters, with about thirty-five men in each, and attacked gun-boat, "No. 121," which by some mishap had floated away from the other boats and was then a mile and a half off. The gun-boat was commanded by sailing master Shead, who began a hot fire into the enemy's approaching line from his long gun. He was overpowered by numbers, however, and was forced to surrender before assistance could reach him, and the British got off with their prize. The enemy lost seven men killed and twelve wounded, while the gun-boat had none killed and seven wounded. The gun-boat afterwards drifted on shore near Great Egg Harbor

¹ The Legislature, on January 26, 1811, passed an act exempting manufacturers and their employees from military duty, "with a view to the encouragement and prosperity of industrial establishments." When war was declared the Messrs. Du Pont purchased at their own expense three hundred muskets and uniforms, and organized the two volunteer companies from among the workmen in their mills. They were called the North Brandywine and the South Brandywine Rangers.

² Thomas Stockton was born in New Castle, April 1, 1781. He was a son of General John Stockton, and was commissioned captain of artillery in the American army September 12, 1812, and major of Forty-second Infantry April 15, 1814. He resigned from the army July 6, 1825, and was elected Governor of Delaware in 1844 and served to 1846. He died suddenly at New Castle on March 2, 1816.

with no one on board, the crew having been taken prisoners.

On August 11th Dr. James Tilton, treasurer of the Wilmington Veteran Association, was appointed by President Madison physician general of the armies of the United States. At this time the depredations by the British, under Admiral Cockburn, in Chesapeake Bay, caused considerable alarm along the shores of the Delaware, where they were expected every day. In September James O'Boyle, in an advertisement in the *Delaware Watchman*, offered a reward of one thousand dollars for Admiral Cockburn's head and five hundred dollars for each of his ears, adding that "my house and many others have been burned by that inhuman wretch."

The news of Commodore Perry's victory on Lake Erie reached Wilmington on the 23d of September, and created the greatest enthusiasm. The military companies paraded and the artillery fired a national salute. In the evening the houses were illuminated and the streets were filled with happy people.¹ On the 25th the Grand Lodge of Delaware, with Commodore Angus, of the Delaware gunboat squadron, and his officers and seamen, honored the event with a grand Masonic procession. The exercises were closed by an eloquent oration from George Read, Jr., in the Presbyterian Church.

Wilmington was again brilliantly illuminated on October 15th, in honor of the "decisive victory of Gen. Harrison over the allied enemy." Upon this occasion the bridges in the borough were fancifully lighted, and the vessels in port were decorated.

In compliance with the act of Congress passed in December, no vessels were allowed to leave one port in this country for another until further instructions.

A meeting of the citizens of Wilmington was held on December 27, 1813, in the Town Hall. Carson Wilson presided and Joseph Downing was secretary. This meeting declared that the monopolizing speculations of a few individuals in the town was injurious to the public welfare, and that "we declare our determination after this day to abstain from the use of the following articles, unless they could be purchased at the prices named: coffee, 25 cents per pound; sugar, 20 cents; and tea, \$1.50." The meeting also recommended their fellow-citizens generally to adopt similar measures.

The British squadron was kept cruising off the Capes during the remainder of the year 1813, and effectually cut off all intercourse between the ocean and Philadelphia, which naturally gave rise to much discontent. The only attempt made by the British to plunder was early in December, when a barge belonging to the sloop "Jason" entered Milford Creek with a lieutenant and seven men, and captured two shallops. They were cut off, however, and taken prisoners. The "Belvidera" returned toward the

end of the year, and, with the "Neimen," "Jason," "Narcissus" and two tenders, kept up the blockade. The only action of interest that was taken in the State was the continual issuing of new commissions to volunteers. The following is a list of those issued by Governor Haslet during the year, with the exception of Lieutenant Panter Laws and Ensign Thomas Pepper, and those of April 12th, when the militia was organized, which have already been mentioned: May 17th, to Constantine Smith, lieutenant; Hezekiah Wingate, ensign; Seventh Company, Seventh Regiment. May 19th, to Henry Steel, captain, Second Company, Second Regiment. May 26th, to George Reid, Jr., lieutenant, Second Company, Second Regiment. May 27th, to George Hinsey, cornet, Second Troop, First Battalion; Isaac Walker, lieutenant; Henry Walker, ensign; Fifth Company, Third Regiment. William Mason, ensign, Eighth Company, Third Regiment. Thomas Herry, ensign, Seventh Company, Third Regiment. June 5th, to Walter Hutchison, ensign, Eighth Company, Third Regiment. June 8th, to Thomas Burton, lieutenant; John Field, ensign; Fourth Company, Eighth Regiment. Joseph V. Crocket, lieutenant; Dixon Harris, ensign; Second Company, Tenth Regiment. Benjamin Rikken, captain; Peter Carroll, lieutenant; John Sanders, ensign; Fourth Company, Ninth Regiment. June 10th, Jonathan Walton, ensign, First Corps, Seventh Regiment. Michael Wallaston, Fourth Corps, Second Regiment. William Rothwell, ensign, Second Company, Third Regiment. June 11th, to John Sergeant, ensign, Fifth Company, Second Regiment; John Clark, lieutenant; William Guthery, ensign; Seventh Company, Second Regiment. Nicholas Van Dyke, captain; Thomas Shoemaker, lieutenant; James Rogers, ensign; Light Infantry, First Battalion, Second Regiment. June 25th, to Caleb P. Bennet, major of battalion of artillery attached to the First Brigade. July 6th, to Edward Ross, captain; Philip D. Fiddemen, first-lieutenant; Reuben Turner, second lieutenant; John Fleming, cornet; Second Troop Cavalry attached to the Second Brigade. August 11th, to Thomas Primrose, Jr., lieutenant, Fourth Company, Sixth Regiment. September 27th, to Jacob Townsend, ensign, Third Company, Seventh Regiment. October 8th, to Philip Wingate, ensign, company of light infantry attached to the First Battalion, Eighth Regiment. John Hill, captain; Thomas Warrington, lieutenant; Daniel Burton, ensign; Third Company, Eighth Regiment. October 12th, Gilley G. Short, lieutenant; Brinkley Davis, ensign; Eighth Company, Eighth Regiment. October 27th, to Solomon Beckley, ensign, Fourth Company, First Regiment. November 1st, to Amos Talley, captain; Joseph Perkins, lieutenant; Second Company, First Regiment. Henry Rumer, captain; Samuel Marshall, lieutenant; John Stillwell, ensign; Seventh Company, First Regiment. James Gordon, captain, Eighth Company, First Regiment. November 10th, to James Robinson, lieutenant.

¹ When Commodore Perry visited Wilmington, a few months later, he was received with every demonstration of joy and approbation.

ant; Robert Robinson, ensign; Eighth Company, First Regiment. November 26th, to David C. Wilson, captain; Benjamin H. Springer, first lieutenant; Jacob W. Robinson, second lieutenant; Third Company of Artillery, First Brigade. December 11th, to Joseph Hutchinson, ensign, Light Infantry, First Battalion, Fifth Regiment. December 18th, to David Helford, lieutenant, Fourth Company, Fourth Regiment. December 21st, to James Clarke, captain; Samuel Warren, Jr., first lieutenant; Charles Buckmaster, second lieutenant; Samuel Thronley, cornet; Third Troop, Second Brigade. December 21st, to Thomas Green, captain; John Jeffries, first lieutenant; Daniel Reynolds, Jr., second-lieutenant; Second Company of Artillery, Second Brigade.

At the election, October, 1813, Daniel Rodney was elected Governor, of whom *Niles' Register* says: "Mr. Rodney, is a 'Federalist.' As many do not know that there are two families of Rodneys in Delaware, who have never agreed on any political question since 1775, it may serve the public information to state that the Mr. Rodney elected is of the opposite line to the late Attorney-General of the United States"—Cæsar A. Rodney. In his message to the Legislature, Jan. 18, 1814, Gov. Rodney says: "In relation to the war in which we are engaged it may be observed, that whatever dangers or distresses may befall us, whatever embarrassments may ensue from the novel and critical situation of the country, it should be remembered that such dangers and embarrassments will not always be within the control of the administration, nor within the means of the State to prevent. Limited in our resources, we must look for protection, support and relief to the Government of the United States. On Congress is imposed the duty, and to them is given the authority, of providing for the common defense, and it is both hoped and expected that the United States will be prepared to meet any invasion or hostile attempts which may be made on our shores in the ensuing season. At the same time, my earnest exertions shall not be wanting to employ in the most effectual manner, according to the provisions of the laws, the power and energy of the State in repelling the enemy, and in the protection of our fellow-citizens."

After indulging in some general observations drawn from ancient history, against entangling alliances with foreign nations, Gov. Rodney continues:

"The expenses which are incurred in our military operations last spring, and all other similar expenses which may arise in the course of the war, ought to be sustained exclusively by the federal government. I, therefore, recommend to you, gentlemen, for the keeping of regular accounts of all future disbursements, and for the preservation of those already made or received by the commissioners heretofore appointed. I feel it incumbent on me to suggest to you, that application should be made to Congress, or the President, for the reimbursement of last summer's expenditures, and for such as may in future accrue.

We have heretofore borne our full proportion of the charges of the general government, and no one who knows the disposition of the people of this State, their attachment to the Constitution, and their patriotic affection for their fellow-citizens of the United States, will hesitate in believing that they will acquiesce in contributing their share of all necessary taxes, imposts and excises imposed by Congress, both in war and in peace."

Outerbridge Horsey, who had been elected Senator in room of Samuel White, deceased, was again elected for the term beginning March 4, 1815. The House of Representatives of the State consisted of twenty-one members, seven from each county. The State tax amounted to fifteen thousand dollars, of which Kent and Sussex, combining and voting together, had levied \$9036.47 on the county of New Castle—being nearly two-thirds of the whole tax. This was regarded as an extortion and made a great excitement among the people. At this time there were thirty establishments, great and small, for the manufacture of cotton and wool, within twenty miles of Wilmington. Some had just commenced operations and had but a few hands at work, while others were large and flourishing concerns. Those thirty cotton and woolen-mills were estimated by writers at that day¹ to have cost one hundred and fifty thousand dollars, independent of the value of the mill-houses and other houses for workmen, and to have employed from three hundred to five hundred hands; besides these, there were thought to be from one hundred to one hundred and fifty persons engaged in making cotton and woolen machinery around Wilmington. This the writer considered to be a "moderate computation," as the greater number of those workmen were enumerated from residents in and around that city.

On the 24th of January, 1814, the Pea Patch again occupied the attention of the Legislature. Although it had been ceded to the United States in the summer of 1813, in the expectation that a battery would be built thereon, no action had as yet been taken in that direction. Consequently, a resolution was passed by the Senate and House of Representatives requesting the President of the United States to take the matter under consideration. On the following day Gov. Rodney addressed a long letter to the Hon. John Armstrong, Secretary of War, from headquarters at Lewistown. He recounted the unprotected condition of the coast from New Castle to the ocean, and the consequent suffering to which the people of the State had been subjected by the enemy during the whole of the preceding year. The secretary was requested to lay the matter before the President and endeavor to secure for the following six months a battalion of infantry, with a small proportion of artillery and cavalry, to be stationed in the State. The advisability was suggested of employing a part of the flotilla then in the Delaware also in protecting the com-

¹ *Niles' Register*.

merce. Through these letters the actual condition of affairs in Delaware was brought before the United States officials, and on March 11th Governor Rodney received a communication from Adjutant-General Duane, of the Fourth Military District, requesting certain information for the use of Colonel Cromwell Pearse, who had succeeded General Bloomfield in command of the district. He desired to know the text of the militia laws then in force in the State, a return of the militia, ordnance and arms, and many other particulars, which were promptly furnished by Adjutant-General Jesse Green, of the State militia. A full statement of all expenditures for defense, for the year ending March 14, 1814, was transmitted to Secretary Armstrong, by order of the Assembly, with a request that the State be reimbursed. Governor Rodney had already issued a number of commissions since his inauguration as Governor, which were as follows: On January 7th, to William Colgan, ensign, Fourth Company, Fifth Regiment; January 7th, to James Gardiner, second lieutenant, and Nicholas A. Williamson, cornet, in Captain John Warren's troop, First Brigade; January 13th, to William Shankland, major of battalion of cavalry, and John McCoy, ensign, Fourth Company, Fourth Regiment; January 15th, to Peter Carrol, captain, John Saunders, lieutenant, Samuel Hitch, ensign, Fourth Company, Ninth Regiment; Levin Sherman, lieutenant, and John Smith, ensign, Fifth Company, Ninth Regiment; David Mustard, captain, Seventh Company, Eighth Regiment; January 17th, to John Campbell, captain, and George Shockley, lieutenant of a company of light infantry attached to the First Battalion, Seventh Regiment; Daniel Harrington, captain, Avery Needles, lieutenant, and William Roe, ensign, First Company, Sixth Regiment; January 16th, to William Kennedy, major, battalion of cavalry attached to Second Brigade; February 22d, to Francis A. Boyer, second lieutenant, troop of cavalry; Micajah Greenfield, cornet, attached to Second Brigade; Kendal Batson, commissary of military stores for Sussex County; John Many, for Kent County; and on March 3d, to James R. Black to the same office in New Castle County.¹

Several attempts were made in Congress during the spring of 1814 to effect a repeal of the Embargo Act. In the Senate, on March 23d, Senator Outerbridge Horsey, of Delaware, presented a petition, signed by citizens of his own State, demanding the repeal of the obnoxious measure. Mr. Horsey secured the ap-

pointment of a select committee to consider the bill, but further efforts to repeal the embargo proved futile.

There was little activity in the State during the early part of the year, as the British confined their operations to the North. June 18th an order was issued by the Governor, at the request of Brigadier-General Stockton, for a general-court martial. It was to consist of thirteen members and to assemble at New Castle on July 13th, for the trial of Major Caleb P. Bennet, of the artillery attached to the First Brigade, and any other persons who might be brought before it. Major Thomas Robinson was appointed president of the court-martial and the other members were: Judge Advocate, Lieutenant-Colonel John Caldwell, Lieutenant-Colonel Joshua Carter, Lieutenant-Colonel David Niven, Major Mordecai McKinney, Major John Moody, Major Joseph Grubb, Major Patrick McConaughy, Major Samuel Moore, Major Oliver R. Howell, Captain Christopher Vandegrift, Major John Crow and Captain James Miles. The charge for which Major Bennet was brought to trial was not proven and he was discharged.

On June 20th the British frigate "Nieman" anchored off the Capes and sent several barges with sixty men into Indian River, burning two or three coasters and shallops loaded with lumber, and securing a ransom for two others. Governor Rodney ordered a company of fifty men to proceed to Lewistown to assist Captain Holland in defending the surrounding country. Early in July the Secretary of War informed the Governor that the State would be required to furnish one thousand men as its quota of a requisition for ninety-three thousand then issued by the President. The troops were to consist of one hundred artillery and nine hundred infantry. Agreeable to this order, Governor Rodney issued instructions to Adjutant-General Robert Dill, on the 25th, ordering him to organize and hold in readiness for immediate service the whole of the second class and such portion of the third class of each company of the several militia regiments as had not performed a tour of duty. The receipt of this communication was duly advertised with a view to securing volunteers who were particularly desired and cheerfully accepted as a part of the requisition. The enemy had now no force whatever in the bay with the exception of a single frigate which cruised off the capes. The Secretary of War, in compliance with continued requests, authorized the Governor to station a company of detached militia at Lewistown under Major Charles Hunter.

The announcement of the capture of Washington, late in August, brought measures for defense once more to the attention of the authorities and people. It was feared that General Ross might march from Washington at the head of his victorious troops and spread destruction and misery through Maryland, Delaware and Pennsylvania. The people felt confident, however, that the land forces could be held in

¹ The following letter, written by a private, whose name is unknown, tells its own sad story:

"OSWEGO FALLS, New York, March 8, 1814.

"Dear Sir: I am very sorry it is my melancholy duty to inform the citizens of Newcastle county of the death of our friend and comrade Lieutenant Daniel Blaney, of the 3d Regiment of artillery. He was killed on the 6th inst., at the attack of the British on Oswego, by a shot through the heart. His death is very much lamented, as he was a brave and courageous officer. He fell on the field of glory, and died in defending the rights of his country, and he rests in the grave of honor. He was buried yesterday, with military honors, in the graveyard at the village of Oswego. His brother officers will place a tombstone over his grave."

check, providing they were able to prevent a fleet from entering the Delaware and joining the invading army.

The protection of the Delaware consequently became the all-absorbing topic which occupied the attention of the people. The resources of Delaware were not sufficient to erect the necessary fortifications without outside assistance. The State had ceded Pea Patch Island to the United States, hoping that suitable batteries would be erected thereon; but, in spite of many appeals to the government, nothing was done. The Philadelphians, however, took the matter resolutely in hand. The old "Commissioners of Defense" had been excused from duty in February, but, on August 26th, the citizens of that city and the vicinity met in the State-House yard and organized themselves into a new Committee of Defense, which was afterwards distinguished for the zeal with which they conducted their work. Thomas McKean, formerly Governor of Pennsylvania, was called to the chair. The committee appointed consisted of Charles Biddle, Thomas Leiper, Thomas Cadwalader, General John Steel, George Latimer, John Barker, Henry Hawkins, Liberty Browne, Charles Ross, Manuel Eyre, John Connelly, Condé Raguet, William McFadden, John Sergeant, John Geyer (mayor) and Joseph Reed, for the city of Philadelphia; Colonel Jonathan Williams, John Goodman, Daniel Graves, John Barclay, John Naglee, Thomas Snyder, J. W. Norris, Michael Leib, Jacob Huff, James Whitehead, for the Northern Liberties and Penn township; and James Josiah, R. McMullin, John Thompson, E. Ferguson, James Ronaldson, P. Miercken, R. Palmer and P. Peltz, for the district of Southwark and the townships of Moyamensing and Passyunk. The most important sub-committee was that for "Defense on the Delaware and to procure Seamen, etc." The members of this sub-committee were Henry Hawkins, James Josiah, William McFadden, John Naglee and Peter Miercken. The committee at once opened correspondence with the Governor of Delaware, citizens of Wilmington, the Governor of New Jersey and others, relative to the work they had in charge. Commodore Murray placed at their disposal three gun-boats, already armed and equipped, and the Marine Artillery volunteered seventy men, under Captain Ansley, to man the vessels. The committee made a thorough investigation of the measures most necessary for a complete defense of the river and bay. At their request, Gen. Bloomfield ordered thirty men of the First Troop of Cavalry, under Captain Ross, to form a chain of videttes from Philadelphia to Port Penn and the mouth of the Elk River, to convey intelligence of the movements of the enemy. They next communicated with the Secretaries of the War and Navy Departments, with a view to securing the co-operation of the general government. A request was made to allow the erection of a battery of thirty-two twenty-four-pounders on the Pea Patch, and suitable fortifications on Newbold's Point and Red Bank, which was granted

19}

by the Navy Department, and additional batteries were also erected at Fort Mifflin.

The expenses arising out of these measures were largely met by sums voted by the city and State, and general contributions. The Bank of Pennsylvania alone advanced three hundred thousand dollars.

In the mean time, on September 5th, United States Marshal James Brobson issued orders for all "aliens" residing in Wilmington to report at his office once a month. All deserters from the enemy, when they arrived in the borough, were also required to report to him. When intelligence was received at Wilmington that the British had landed at North Point, on the Patapsco River, to attack Baltimore, the volunteer corps and the militia of the Fourth Military District of Delaware were ordered by Gen. Bloomfield to proceed, with all possible despatch, under Col. John Thompson, to Kennett Square, Chester County, Pa. The militia of the adjoining counties of Bucks, Montgomery, Chester and Delaware were ordered to march, fully equipped, with all possible despatch, to Marcus Hook.

During the excitement caused by the threatened invasion by the British under Maj.-Gen. Ross, the citizens of Wilmington, on September 13th, called a town-meeting at the City Hall. Gen. John Stockton was made chairman and N. G. Williams secretary. Peter Caverly and John Gordon were added to the Committee of Safety. Wilmington was divided into four districts, and four persons were appointed in each to serve as a committee of vigilance. They were required to examine all suspicious persons and report them to the Committee of Safety. Ezekiel Massey, James Collins, John Elliot and John Simpson were appointed for the First District; John Hedges, Jared Chestnut, James Hogg and Isaac Bonsall for the Second; John Rumford, Thomas Richardson, George Whitelock and Esau Cox for the Third; and William Woodcock, William Collins, John Dixon and Capt. David Kirkpatrick for the Fourth District.

The news of the defeat of the British, in their attack upon Baltimore, and the death of Gen. Ross, was brought to Wilmington by the mail-stage from Havre-de-Grace, Md., and reached the town about 9 A.M. the following day. The stage stopped at the Indian King tavern, where a crowd gathered to hear the joyful intelligence. It created the greatest excitement, which was increased by the following publication in the *American Watchman* on September 15th:

"GOOD NEWS! GLORIOUS NEWS!!"

"It is with inexpressible joy that we present to our readers the following cheering intelligence. The hired, blood-thirsty myrmidons, the off-scourings of the earth, and the refuse of creation, sent by Great Britain to burn, pillage, lay waste and destroy, by the favor of Heaven and the valor of American soldiers, have been defeated at Baltimore and have been forced to make a disgraceful retreat to their floating dungeons."

On September 16th, Dr. Arthur Johns and Samuel McDonnell began to recruit men for the flying artillery corps, commanded by George Read, of New

Castle. They offered to supply the recruits with saddles, bridles, holsters, pistols, sabres and every necessary equipment free of expense.¹

Three vessels were purchased in September,—the sloop "Two Sisters," for \$1400; the schooner "Ruby," for \$1500; and the sloop "Three Sisters," for \$1600; and about the same time, Secretary Jones of the Navy Department detailed Commodore John Rodgers for duty in Delaware Bay with his whole force.

Governor Rodney tendered the Committee of Defense of Philadelphia every assistance in his power, and forwarded them a letter explaining the war measures the State had put into force for the protection of the coast.

As soon as Commodore Rodgers had arrived in the river, he recommended the construction of batteries and bulwarks in the vicinity of the Pea Patch. Messrs. Williams, Steel, Leiper, Sergeant, Eyre, Connelly and Hawkins were appointed a committee to go to New Castle and accompany Commodore Rodgers to the Pea Patch, and ascertain what steps were necessary for the protection of the State. The committee reported on October 5th, "That, considering the Pea Patch as an island but recently formed by the alluvion of the river, and perceiving that the part now visible at high tide is only so by the reeds and other aquatic plants that grow upon it, the committee conceive that it would require much time and labor to procure a solid foundation of efficient work. It follows that a temporary fortification, hastily erected on the surface, can only be contemplated for any immediate effect. The Delaware side of the river is banked meadow, with various intersecting ditches and soft ground. It was found impossible to rear a base in a right line on the bank; the distance between the shore and the island could not, therefore, be ascertained, but it is evidently equal to that between the island and the Jersey shore, which, by running a line on its sandy beach, was found to be one mile and a quarter."

The report suggested to Commodore Rodgers the propriety of sinking fifty hulks near the island to prevent the enemy from sailing up the river. An interesting report was subjoined from James Ramage, sailing-master of the United States frigate "Guerrière," who, in obedience to instructions from Commodore Rodgers, had gone out from New Castle to the Pea Patch to measure the depth and width of the channels on both sides of the island. On the Delaware side he found the channel deepest near New Castle, and again at Reedy Island.

Another committee was appointed to confer with General Gaines,² commander of the military district,

on the best and cheapest mode of defense of the forts and obstructions at the Pea Patch and Newbold's Point. The estimates submitted by them after the conference showed that one hundred thousand dollars would be required for the land fortifications, and the obstructions near the island, and a resolution was at once passed by the general Committee of Defense offering to advance this amount, if the government authorized the work, and appointed Messrs. Williams, Josiah, Eyre, McFaden and Leiper to co-operate with Commodore Rodgers in superintending it. The plans were immediately prepared by General Gaines.

At the same time an offer was made by the Secretary of the Navy to appropriate one hundred and fifty thousand dollars for a steam frigate for the defense of the Delaware, provided the money could be raised on the credit of the United States. The general committee, on the receipt of this, ordered the money to be placed to the account of the treasurer of the United States. The committee of correspondence and Mr. Leiper were then appointed to call upon the corporations of New Castle and Wilmington and the inhabitants of the adjacent country and ask them to contribute toward the funds necessary to defray the cost of the Pea Patch fortifications. On November 29th, they had a conference with the Council of Wilmington, and afterwards discussed the matter with private citizens, and received encouraging assurances that liberal sums would be raised and forwarded to Philadelphia. On the following day, the committee went to New Castle, and met Chief Justice Johns, George Reid, Esq., and Nicholas Van Dyke, a part of the delegation appointed to meet them, the others being detained by sickness. Here also the result of the consultation was most flattering. The placing of contracts was at once begun, and the construction of a frigate similar to the one known as "Fulton the First," built for the defense of New York, by Robert Fulton, the inventor, was also contemplated.

In addition to these measures for the protection of the water-ways, the committee had also sent a number of troops into Delaware to remain until there seemed no longer any prospect of an invasion. A brigade had been sent from Philadelphia and was stationed at Camp Du Pont, about three miles from Wilmington. They were constantly drilled throughout the summer. About the middle of November six companies under Lieutenant-Colonel Raguet were marched to Camp Gaines, situated two miles below New Castle. Colonel Irvine, who, previously occupied this post, now moved farther down the bay to prevent the enemy from landing. Colonel Raguet remained at Camp Gaines until a severe storm broke up the camp, and drove the troops into New Castle. There they were quartered in a church, the courthouse and a private dwelling until late in November. On the 30th of that month the "Advance Light Brigade" broke up Camp Du Pont and after

¹ George Read, who commanded the Flying Artillery, at New Castle, at the close of the war refused to accept pay for his services from the United States Government, but secured pay for his men to the amount of twenty-four hundred dollars. Captain Read at one time paid thirty-seven dollars of his own funds for provisions, and eighty dollars for caps to supply his men.

² General Gaines was appointed to the command of the Fourth Military District, which included Wilmington and Philadelphia, on October 1st, to succeed General Bloomfield.

they were joined by the detachments at New Castle and Camp Gaines, about three thousand in all, they returned to Philadelphia.

The presence of British vessels in the Delaware made it necessary for the committee to continue their other labors. The result to the Wilmington conference was soon proved to be a material success by the receipt of the following letter by the first burgess of the borough:

"WILMINGTON, December 7, 1814.

"Gentlemen: Your letter of the 4th instant, covering one from the Secretary of War, is received, and on Monday was laid before the Council, and I am directed to inform you that the Council of the Borough of Wilmington have appropriated fifteen thousand dollars for the purposes mentioned in your letter, and as soon as the first five thousand dollars is placed in one of our banks, you shall be notified.

"I am, Gentlemen,

"With great respect,

Your obedient servant,

"JAS. BRIDSON, First Burgess.

"Committee of Correspondence."

An extensive correspondence also ensued between the Philadelphia committee and the government officials at Washington, relative to an arrangement for handling the money, and for some time there was much difficulty in getting warrants from the War Department. This occasioned much inconvenience, and although the work was progressing satisfactorily, much uneasiness was felt by Captain Thomas Clark, who had been stationed at the Pea Patch, as commanding engineer. January 5, 1815, he wrote to Captain Josiah, stating that the wharf had been sunk and was perfectly secure, and that they were proceeding smoothly and satisfactorily with the other work, but at the same time it was absolutely necessary to have some more money. The urgency of the situation may well be imagined from his own words, as in the letter he said, "For God's sake let me have some money by the ensuing week; if it be only a thousand dollars, it will keep the credit of the place good until better arrangements can be made." The committee avoided any trouble, however, by advancing the necessary amount until the government issued its warrants.¹

On January 12th the first installment of five thousand dollars was deposited in Wilmington by the borough, payable to the order of George Latimer, and interest was made payable from the day of the cashier's receipt, and a certificate of stock was forwarded to Allen Thompson, treasurer of the town. The people of New Castle had more difficulty in raising a loan, and the committee becoming impatient, addressed a letter to three of the citizens, of which the following is a copy:

"PHILADELPHIA, January 25, 1815.

"Gentlemen: The committee of this city and its vicinities have instructed us to address you as a committee of the inhabitants of New Castle, on the subject of a loan to the United States for the special purpose of making defences on the Delaware at and near the Pea Patch.

"In confidence that money, competent to the object, would be provided, by loans, the Government have given directions to their officers to proceed with as much expedition as possible to erect the necessary de-

fences at that important situation. General Gaines, while in command, zealously commenced the works, and Colonel Irvine, who succeeds him, is no less earnestly engaged to have them completed. Part of the works are going on here to begin the fortifications, contracts have been made in New Jersey for larger quantities of timber for chevaux-de-frise, &c., and you, no doubt, know that Captain Clark, an officer of the corps of engineers, has a considerable number of men employed under his immediate directions at the Pea Patch. Everything is in a state of forwardness, and arrangements are making to engage the necessary workmen that the chevaux-de-frise and wharves may be sunk. The General Government has no money at command, but have given assurance to apply solely to the purpose intended whatever sums may be loaned for these defences, and there can be no doubt but the same will be so applied.

"For the amount loaned, certificates of funded debt, on the terms of the loan of 1812, will be issued, bearing equal date with the deposit in bank.

"In this way we have already received certificates for \$50,000, deposited in November, and will no doubt receive the same evidence of debt for our subsequent advances. The Borough of Wilmington have agreed to loan fifteen thousand dollars, of which \$5,000 has been deposited in the Bank of Wilmington and Brandywine to the credit of our Treasurer. This sum will be expended by or under the direction of the engineer to whom the Government have intrusted the superintendence of the works, and expended as far as practicable in the vicinity of that place; in like manner, whatever sums you may lend will be deposited in your bank, drawn from thence and used in like manner. Our committee will charge itself with procuring for you the certificates of stock, you advising us in whose name or names you wish them to be issued.

"While the labors and expenditures of the committee were confined to our own immediate vicinity, it was not intended to call on you to aid us with money, but as the contemplated defences on the Delaware are as important and perhaps more so to the citizens of New Castle than to us, we now solicit your aid. As you will receive certificates of funded debt, with interest, payable quarterly, you only interpose your credit, even if you borrow of the bank, between the Government of the United States and bank.

"Whatever sum you may loan you will be pleased to deposit in your bank to the credit of George Latimer, Esquire, Treasurer of the Committee of Defence of this city, and send us the receipt of the cashier. For the sum so deposited we will procure you a certificate, or certificates of six per cent. stock in the names of such persons as you shall appoint.

"We are, gentlemen,

"Your obedient, humble servants,

"GEO. LATIMER,

"JNO. SERGEANT,

"JOS. REED,

"Committee of Correspondence.

"James Riddle, George Reid, Nicholas Van Dyke, Esquires, New Castle."

It appears, however, that the citizens of New Castle were unable to raise a loan before the work was completed, as no trace of a reply to this letter can be found in the proceedings of the committee. The sum raised for the steam frigate did not prove sufficient and early in 1815 the five thousand dollars subscribed, by Wilmington was refunded. The Secretary of the Navy had, however, authorized Navy Agent George Harrison, to have one built.

On the 11th of September, 1814, the British land and naval forces determined to make a combined attack on the Americans at Plattsburg Bay. The British squadron was under the command of Captain George Downie, of the royal navy, and Captain Thomas Macdonough,² a native of Delaware, commanded the

¹In March, 1817, Captain Babcock, of the United States corps of engineers, advertised for twenty-four thousand perches of building stone and sixty thousand bushels of lime, to be delivered at the Pea Patch.

²Commodore Thomas Macdonough, United States Navy, was born in New Castle County, December 23, 1781. His father, Major Macdonough, was a physician and a distinguished officer of the Delaware line in the Revolutionary army. Commodore Macdonough was appointed a midshipman in 1798, and promoted to lieutenant February 6, 1807, and commodore July 21, 1813. In 1803 he was assigned to the frigate "Philadelphia," a vessel in the squadron against Tripoli, and rendered distinguished services. When the "Philadelphia" was captured Macdonough escaped the fate of the officers and crew by being left at Gibraltar, with the prize "Meshbes." He afterwards served in the schooner "Enterprise," under Decatur, and was one of the party which recaptured and burned the "Philadelphia" on the night of February 15, 1804. He was made commander of the Lake Champlain squadron in 1814, and on September 11th of that year defeated the British squadron, under Commodore George Downie, who greatly outnumbered him in

American squadron. At eight o'clock in the morning of the 11th, Captain Macdonough calmly awaited the approach of the British fleet, which consisted of the frigate "Confiance," thirty-eight, Downie's flagship; the brig "Linnet," sixteen, Captain Priug; the sloops "Chub," Lieutenant McGhee, and "Finch," Lieutenant Hicks, carrying eleven guns each; and twelve gunboats, manned by about forty-five men each. Eight of them carried two guns, and four of them one gun each; carrying in all ninety-five guns, and manned by a little more than one thousand men. The American force consisted of Captain Macdonough's flagship the "Saratoga," of twenty-six guns; the brig "Eagle," twenty-six guns, Captain Henly; the schooner "Ticonderoga," seventeen guns, Lieutenant Cassin; sloop "Preble," seven guns, Lieutenant Charles Budd, and ten gunboats, carrying eighty-six guns in all, and manned by eight hundred and eighty-two men.

Lossing¹ says, the American line of battle had



COMMODORE THOMAS MACDONOUGH.

been formed with great skill by the young commander, reference being had to the conformation of the land. It extended completely across the entrance to Plattsburg Bay from Crab Island to Cumberland Head, and the British, rounding the latter, was compelled to approach the American squadron with his bows on, giving the latter a great advantage at the beginning. The British line was headed by a sloop followed by the "Finch," which led the van of the British squadron, and made for the right of the American line, in the direction of the "Preble," near Crab Island. At the same time the "Chub" moved toward the head or left of the Americans, near Cumberland Head, keeping well to the windward of the "Eagle," to support the "Linnet" in a direct attack on that vessel,

vessels and guns. From the close of the war his health gave way, yet he lived for more than ten years with consumption. He died at Middletown, Conn., in 1825, where he married his wife, Miss Shaler, who had died only a few months before.

¹ "Pictorial Field-Book of the War of 1812," p. 860.

while the gunboats coming up in order, their commanders received from Commodore Downie final instructions for action. He then attempted to lay the "Confiance" athwart the "Saratoga," while the "Finch" and the gun-boats should attack the "Ticonderoga" and "Preble." He was baffled by shifting winds, and was compelled to anchor his vessel within two cable-lengths of its antagonist. In the mean time Macdonough had thoroughly prepared to receive the enemy. When his vessel was cleared for action, springs placed on his cables, and all was in readiness, he knelt on the deck of the "Saratoga," near one of its heaviest guns, with his officers and men around him, and, in few words, asked Almighty God for aid, and committed the issue into His hands. He arose with assured courage, and as the enemy came down upon him, his vessels sprang their broadsides to bear, and the "Eagle" opened the action by hurling the first shot. It discharged in quick succession its four long eighteen-pounders in broadside. This was followed by the fire of a long twenty-four-pounder on the "Saratoga," which the young and gallant Commodore Macdonough had sighted himself. The ball entered the outer hawse-hole of the "Confiance," the enemy's flagship, and went crushing through every obstacle the entire length of her deck, killing several men on its way, and demolishing the wheel. The "Linnet," as she was passing to attack the "Eagle," gave the "Saratoga" a broadside, but without serious effect. One of her shots demolished a hen-coop on the "Saratoga," in which was a young game cock, and released the fowl. Startled by the noise of cannon, Mr. Lossing says, the cock flew upon a gun-slide, and, clapping its wings, crowed lustily and defiantly. The sailors cheered, and the incident, appearing to them as ominous of victory for the Americans, strengthened the courage of all.

The "Confiance" made no reply to the "Saratoga's" savage twenty-four-pounder until she had secured a desirable position, when she exhibited a sheet of flame. Her entire larboard broadside guns, consisting of sixteen twenty-four-pounders, double-shotted, leveled at point-blank range, coolly sighted, and favored by smooth water, were discharged at one time. The effect was terrible. The "Saratoga" shivered from round-top to hull as with an ague, and forty of her people, or almost one-fifth of her complement, were disabled. Almost immediately, however, Macdonough resumed the conflict, and the fire of the "Saratoga" was steady and gallantly conducted. Among her lost was her first lieutenant, Peter Gamble, but Commodore Downie, of the "Confiance," was also killed.

The contest had now become general, steady and active. The "Chub" struck her flag and was taken possession of by Midshipman Platt, of the "Saratoga," who had her towed to Plattsburg Bay, and anchored near the mouth of the Saranac. Almost half of her people were killed or wounded. An hour later the "Finch" drifted upon Crab Island shoal, where she struck, and surrendered to a little two-gun battery.

The British gun-boats now entered vigorously into the action and soon compelled the "Preble" to cut her cables and flee to a safer place, near the shore, where she went out of action. The attack on the "Ticonderoga" was redoubled by the fourteen gun-boats, but the gallant "Ca-sin" walked the taffrail in a storm of grape and canister shot, watching the movements of the assailants, and directing effective discharges of musket-balls and other light missiles, which kept the enemy at bay. Several times the British were within a few feet of the sides of the "Ticonderoga" with the intention of boarding her, but they were repulsed.

In the mean time the "Eagle" lost the springs of her cable, and became exposed to the combined fire of the "Linnet" and "Confiance." Very soon the two flagships became disabled. The "Saratoga" had not a single serviceable starboard-gun left, and was silent. The "Confiance" was not much better off. Now was the moment for Macdonough to exhibit his splendid seamanship. He did so quickly and effectively. With the aid of Philip Brum, his skillful sailing-master, he wound the ship, by means of a stream-anchor and hawsers, so that he brought the guns of his larboard quarter to bear on the "Confiance," which had vainly endeavored to imitate the movement. Macdonough now poured such a destructive fire on the British flag-ship that she soon surrendered. The "Saratoga's" fire was then directed upon the "Linnet," and in the course of fifteen minutes she too struck her colors. The British galleys in the mean time had been driven by the "Ticonderoga" half a mile in the rear of the larger vessels, and they lay scattered, and giving feeble aid to them. Seeing the colors of the larger vessels go down, they too dropped their ensigns, and at a little past noon not one of the sixteen national flags, which were so proudly floating over the British squadron when it rounded Cumberland Head, could be seen.

Finding that they would not be pursued, the galleys escaped down the lake. The Americans were too crippled to follow. "I could only look at the enemy's galleys going off in a shattered condition," Macdonough wrote the Secretary of War, "for there was not a mast in either squadron that could stand to make sail on; the lower rigging, being nearly all shot away, hung down as if it had just been placed over the mast-head." "Our masts, yards and sails were so shattered," wrote Midshipman Lee, of the "Confiance," who was wounded in the action, "that we looked like so many bunches of matches and the other like a bundle of rags."

For two hours and twenty minutes this severe naval battle raged, while the thunder of cannon, the hiss of rockets, the scream of bombs and the rattle of musketry were heard on the shore. It was a grand sight, and was witnessed by hundreds of spectators on the headlands of the Vermont shore, who greeted the victory with shouts. It was a battle characterized by a vigor and destructiveness not excelled by

any during the war; indeed, seldom equaled anywhere or at any time. The victory for the Americans was complete and substantial; the "Saratoga" had fifty round-shot in her hull, and the "Confiance" one hundred and five. The "Saratoga" was twice set on fire by hot shot from the enemy's ship. Very few officers of either of the ships were uninjured. Macdonough sighted a favorite gun much of the time during the action. While doing so at one time, bending his body, a shot cut the spanker-boom in two, and it fell upon his back with such force as to prostrate him senseless on the deck. The cry went through the ship that the commodore was killed. He soon recovered and resumed his station. A few minutes afterwards a shot drove the head of the captain of his favorite gun in upon him, and knocked him senseless into the scuppers, when his death was again announced; but he speedily recovered. His venerable sailing master, Peter Brum, had his clothes nearly torn off by a splinter while winding the ship. Lieutenant Lovelace had a shot-box, on which he was standing driven, from under him by a ball, and was knocked down by the flying head of a seaman. Lieutenants Gamble and Stansbury were killed. The British officers suffered severely. Commander Downie, Capt. Anderson of the marines, Midshipman Gunn of the "Confiance," and Lieutenants Paul and Boat-swain Jackson, of the "Linnet," were also killed and many others were wounded. The entire loss of the Americans was one hundred and ten, of whom fifty-two were killed. The total British loss was more than two hundred.

Sir George Prevost, who commanded the British land forces, was also defeated at the battle of Plattsburg by General Macomb. Spontaneous honors and praises were given by the people to him and Macdonough conjointly. Bonfires and illuminations blazed in almost every city and village in the land, and recent disaster at the national capital was almost unthought of for the moment. Legislative resolves, artillery,¹ oratory and song were pressed into the service of rendering homage to the two heroes and their men. The newspapers teemed with eulogies, and at all public gatherings and entertainments their names and deeds were mentioned with applause. Macdonough was nobly honored. The State of New York gave him two thousand acres of land. The State of Vermont purchased two hundred acres on Cum-

¹ On Sunday, September 18th, at the military camp near the arsenal in Wilmington, a *feu de joie* was fired by the troops under the command of Gen. Cadwallader, of Philadelphia, in honor of Commodore Macdonough's victory. On the following day a salute was fired at Camp Stockton, near Elkton, by the Wilmington Artillerists, under the command of Captain Rodney. On the 20th the third company of Wilmington Artillerists, under the command of Capt. D. C. Wilson, fired a *feu de joie* at Fort Hollingsworth, near Elkton, in honor of the same event. The Veteran Corps of Wilmington, commanded by Col. Allen McLane, assembled on the corner of French and Second Streets, on the 1st of October, and also fired a salute in honor of Macdonough's victory. John Washington, who died in Wilmington November 19, 1880, aged eighty-six years, was one of the last survivors of Cesar A. Rodney's artillery company in the War of 1812. For a long time during the war this company was at "The Rocks," the end of Seventh Street, guarding the entrance to the Christiana. Afterwards this company was ordered to Elkton, and toward the close of the war to the Niagara frontier.

berland Hoad and presented it to him. It was on the borders of Cumberland, or Plattsburg Bay, and the farm-house upon it overlooked the scene of his gallant exploits. The cities of New York and Albany each gave the hero a valuable lot of land. "Thus," said Macdonough to a friend, while tears stood in his eyes, "in one month, from a poor lieutenant I became a rich man." Congress gave him the thanks of the nation, and with his brave commanders, Henley and Cassin, voted him a gold medal with suitable devices and inscriptions. On one side of Macdonough's medal was a bust of the hero in



THE MACDONOUGH MEDAL.

profile, with the legend. "THEO. MACDONOUGH, STAGNO CHAMPLAIN CLAS. REG. BRIT. SUPERAVIT." The reverse side bore a representation of a fleet engaged before a town (Plattsburg), enveloped in smoke. Several small boats on the lake; legend: "UNO LATERE PERCUSO, ALTERUM, SUPERAVIT." Exurge, "Inter Clas. Amer. Et Brit. Die XI. SEPT., MDCCCXIII."

One of the last acts of the Delaware Legislature in connection with the War of 1812 was to take appropriate steps in recognition of the bravery of her gallant sons. A resolution was passed in January, 1815, expressing the "pride and pleasure felt by the General Assembly in recognizing Commodore Macdonough as a citizen of Delaware." They appropriated a sum of money for a piece of plate, and also for a portrait of the commodore.

When Russia offered her mediation between England and the United States, in the interest of peace, Mr. Bayard and Albert Gallatin were commissioned to proceed directly to St. Petersburg, and charged with authority to conclude a peace upon the terms set forth in the declaration of war. The prodigious change in European politics, which afterwards astonished the world, was not anticipated when the American envoys were commissioned and dispatched. France and England, though at temporary peace, still threatened war, and the rights and interests of Americans were still menaced with violation. It was not for abstract principles, but for practical wrongs, that war had been declared; hence, it was against the *practice* of impressment rather than against the claim of right to impress, which England held, that the Secretary of State, in his letter of instructions of April 15, 1813, instructs the envoys—"the right of the United States to be exempt from the degrading *practice* of impressment,"

and remarking that "the *practice* is utterly repugnant to the laws of nations; it is supported by no treaty with any nation; it was never acquiesced in by any, and a submission to it by the United States would be the abandonment in favor of Great Britain of all claim to neutral rights and all other rights on the ocean." The object of the mission of Mr. Bayard and Mr. Gallatin, so far as the subject of impressment was concerned, was to effect a discontinuance of the practice, and that accomplished by any means, though not within the strict terms of the letter of instruction, the end would have been satisfactorily attained. It is said an opposite position was afterwards taken, resulting from an obscurity in a subsequent part of the instructions, where it is said: "Upon the whole subject I have to observe that your first duty will be to conclude a peace with Great Britain, and that you are authorized to do it in case you obtain a satisfactory stipulation against impressment, one which will secure, under our flag, protection to the crew. The manner in which it may be done has been already stated, with the reciprocal stipulations which you may enter into to secure Great Britain against the injury of which she complains. If this encroachment of Great Britain is not provided against, the United States have appealed to arms in vain."

When these instructions were given, the conditions of the belligerents in Europe, as well as the state of the war in the United States, were very different from what they had become before Mr. Bayard and Mr. Gallatin arrived in St. Petersburg, on July 21, 1813. The absence of the Emperor Alexander, who was with the army, the retreat of the French and the refusal of England, communicated by Lord Cathcart, to accept the good offices of the Emperor, frustrated the St. Petersburg mission in its effort to conclude a peace.

Lord Cathcart having expressed the willingness of the Prince Regent to nominate plenipotentiaries to treat directly with the American envoys, the "Bramble" was dispatched to America to communicate the views of the British government. To meet this advance, Mr. Clay and Mr. Russell were dispatched to Gottenburg, the place first selected for the negotiations. While awaiting the arrival of his colleagues, Mr. Bayard visited England, from whence he wrote: "I arrived in London at a very inauspicious moment for an American. The Allies were at Paris, and news had just been received of the abdication of Bonaparte. The whole nation was delirious with joy, which was not indulged without bitter invectives against their remaining enemies, the Americans. The time of declaring war stung them more than the act itself. They considered it as an aid given to their great enemy at a moment when his power was most gigantic, and most seriously threatened the subjugation of the Continent, as well as of themselves. They thirst for a great revenge, and the nation will not be satisfied without it. They

know little of our parties. It was America that fell upon them at the crisis of their struggle, and it is America now that is to be made to feel the weight of their undivided power."

The negotiations being transferred from Gottenburg to Ghent, Mr. Bayard there proceeded, and arrived on the 27th of June. After the arrival of the other commissioners, a whole month passed in uncertainty, suspense and expectation. On the 6th of August, Mr. Bayard wrote from Ghent:

"Nothing favorable can be augured from the delay in sending their commissioners to the rendezvous agreed to at their instance as the seat of the negotiations. Our commissioners have all been here more than a month, and we have not yet heard that theirs are even preparing to quit London. We expect them daily; but so we have done for twenty days past, and so we shall till they arrive, or till we learn that they do not mean to come at all. I assure you, between ourselves, my hopes of peace are very slender. The Government of England affect to despise us; but they know we are a growing and dangerous rival. If they could crush us at the present moment, they would not fail to do it, and I am inclined to think that they will not make peace till they have tried the effect of all their force against us. An united, firm and courageous resistance on our part, alone, in my opinion, can furnish hopes of a safe and honorable peace to the United States. . . . What I doubt is, that if the olive branch be presented to us by one hand, a cup of humiliation and disgrace will be held out in the other; and although I should rejoice to carry the former to the United States, yet I never shall consent to be the bearer of the latter."

And, again, he writes: "No people are more easily elated or depressed by events than the English. We have nothing to hope but from vigorous and successful measures, so far as the war depends upon ourselves alone. The British force in America must be overcome or repelled, or the war must end in national disgrace."

At length, in August, the British commissioners arrived at Ghent, and the negotiations were concluded on December 24, 1814, by the treaty of peace. Mr. Bayard proceeded to Paris, where he received the appointment of envoy to St. Petersburg, which he declined, holding that he had no wish to serve the administration of his political opponents, except as his services were necessary for the good of his country. Nothing could induce him to accept an appointment that would identify him with the Republican administration. From Paris, Mr. Bayard had intended to proceed to England to co-operate in the formation of the commercial treaty, as he had been included in the commission for that purpose. But an alarming illness prevented, and he left Paris on May 18th for his home, where he arrived, but reposed but a brief period in the affections of his family and friends.

On the 13th of February, 1815, news of the signing

of a treaty of peace with England was received in Wilmington, and there was a general illumination. On February 17th the treaty was ratified by the United States Senate. It in no wise secured immunity from the "search and impression claims" of England; but it settled disputed boundaries, and acknowledged our exclusive right to navigate the Mississippi.

The war, with its varied interests, reflected the highest honor upon the devotion of Delaware. She had contributed her full quota of men, her full proportion of money, and her sons had distinguished themselves on land and sea. After the war closed, the citizens of the State turned with renewed energies to the development of their commercial and industrial interests.

John G. Watmough, prominent in the War of 1812, was born on the banks of the Brandywine, December 6, 1793, and served in the War of 1812 as lieutenant of the Second Artillery. While on active duty on the frontier in 1813-14, he received three musket-balls in his body, the last of which was not extracted until 1835. He was aid-de-camp to General Gaines, at New Orleans, and in the Creek Nation in 1814-15. He resigned his commission in 1816, and was elected a member of Congress from Pennsylvania in 1831, serving for four years and being troubled constantly with his wounds. In 1835 he was high sheriff of Philadelphia, and surveyor of the port in 1841. In 1844 he published "Scribblings and Sketches," 8vo. The latter part of his life he spent in retirement and died in Philadelphia November 29, 1861.

Elijah B. Register, who died January 10th, 1888, in Philadelphia, was one of the very few survivors of the War of 1812 and '15 who lived so long. He was born in Camden, Delaware, September 17, 1798, and when a boy about fourteen or fifteen years old participated in the defense of Lewistown. At the bombardment of Lewistown, when the enemy sent a boat ashore further up the bay, one of the officers who ventured to one of the cross-road stores was taken prisoner by a party of which Mr. Register was one. The officer was held on his parole until exchanged for an American prisoner of equal rank. During those early days Camden, Delaware, was a town of greater importance than Dover. The people of the latter place had to go to Camden to get their drugs, as it had the only drug-store in the neighborhood.

Mr. Register subsequently removed to New Castle, Delaware, when that was a great centre for travel, as the New Castle & Frenchtown Railroad was the only way of communication between Philadelphia and Baltimore. Passengers had to take the stage from Philadelphia to New Castle, and thence by rail to Frenchtown, and from there by steamboat to Baltimore. The result was, the town of New Castle was the stopping-place for a great many people, and the hotel, then owned by Mr. Register's brother, was the most important place, not only in the State, but of

as much consequence as any hotel in Philadelphia at that time. Mr. Register retained his good health and memory up to the moment of his death, and died in the ninetieth year of his age. At the time of his death he lived with his nephew, I. Layton Register, of Philadelphia. Another nephew, Dr. Henry C. Register, also resides in Philadelphia, and a third, Dr. John E. Register, in Dover, Delaware.

Captain John Gallagher, a prominent American naval officer in the War of 1812, died in Wilmington, November 1, 1842, aged fifty-eight years. He was a native of Maryland. He was appointed lieutenant in July, 1812, and served in that capacity on the frigate "United States," in her engagement with the English frigate "Macedonian," on October 25th of that year. On March 2, 1825, he was promoted master and ten years later was made a captain.

CHAPTER XVII.

FROM THE TREATY OF GHENT TO 1860.

THE growth of manufactures on the Delaware had been very great during the War with Great Britain; and the protection and encouragement of the high duties, incident to the expenses of the war, had enabled them to grow and expand beyond all precedent up to that time. Isaac Briggs, writing to the Hon. William Lowndes, chairman of the Committee of Ways and Means of the House of Representatives, from "Rokeby Cotton Works, on Brandywine, near Wilmington, Delaware, 11 mo: 30, 1815," and again from "Washington, D. C., 3 mo: 12, 1816," explains how the comparison of American and British cotton goods

"as founded on equality of fabrics, does not give the correct and practical view of the subject. It is rather what should be than what is. It is the practice of the British Manufacturer, from a dexterity and skill acquired by long experience and division of labor, to make a fabric very beautiful and imposing to the eye of yarn No. 24, every pound of which produces 4 yds. at least, which will cost him, clear of duty, but 17 cents per yard in Philadelphia, when the price of cotton is 20 cents per lb. in Savannah.

"It is the practice of the American Manufacturer to make a substantial and durable fabric of yarn No. 20, producing no more than 60 yards from 17 lbs., which cost him 25 cts. per yard in Philadelphia, when the price of cotton is 20 cents per lb. in Savannah."

"The cost to the American manufacturer of a substantial and useful cloth is per yard 25 cts.; the cost to the British manufacturer of a beautiful and highly-polished cloth is per yard 17 cents; the difference is per yard 8 cts. Unless there be imposed on their foreign fabric as much duty as will make it cost the importer 25 cents per yard, the American manufacturer will not be effectually protected."

In 1815 a State tax was levied which caused considerable bad feeling. It was found that New Castle County, which was only valued at about one-third of the other counties, was made to pay about three-fifths of all the taxes of the State. The valuation and tax was as follows:

	VALUATION.	TAX LEVIED,
New Castle.....	\$2,799,747	\$9,771.11
Kent.....	3,240,667	3,544.73
Summex.....	1,996,471	3,593.65
Total.....	\$8,036,885	\$16,920.29

The elections in October, 1815, for members of the General Assembly, resulted in the choice of fourteen Federalists and seven Republicans for the House and a gain of a Federalist Senator from the Republican county of New Castle, where there was a division in the party.

In the campaign of 1816 the Federalist convention ("caucus" it was called then) rejected their old members because they "voted in favor of the compensation law," and placed in nomination for Governor, John Clarke, and for Representatives in Congress, Louis McLane and Caleb Rodney. Messrs. Clayton and Cooper ran as independent Federalists for Congress. In his address to the Federal electors of the State, dated at Dover, on the 12th of July, 1816, Mr. Clayton appealed from the decision of the convention, and solicited the votes of his fellow-citizens. He said, at the earnest solicitation of his party, he was induced to abandon a lucrative profession to serve it, and that he had been "rudely rejected from the place he made so great sacrifices to himself and his family to accept."

The Republican or (Democratic) nominees were Mansen Bull for Governor, and C. A. Rodney and Willard Hall for Congress.

At the election in October Mr. Clarke¹ was elected Governor by a majority of 491. He received 4008 votes and Mr. Bull 3517. For Congress Mr. McLane, Federalist, and Mr. Hall, Republican, were elected. The former received 3580 votes and the latter 3531, being elected by a majority of one vote over C. A. Rodney. C. Rodney, the Federal candidate, received 3433 votes. At the previous election the Federal majority in the State for Congressmen was about 1000, but owing to the defection caused by the failure to renominate Messrs. Clayton and Cooper, C. Rodney, one of the Federal candidates for Congress, was defeated. Mr. Clayton received 486 votes and Mr. Cooper 391.

The Legislature in November appointed Nicholas Ridgely, Thomas Robinson, Andrew Barratt and Isaac Tunnel, all Federalists, as electors of President and Vice-President. Nicholas Van Dyke was elected at this session a United States Senator.

Governor Clarke, on January 21, 1817, addressed to the members of the General Assembly his inaugural message, in which he inculcated the highest reverence and affection for the Federal Constitution, as containing all the

"great essentials of a free government, and on it depends in a very particular manner the independence of this State, and the freedom and happiness of its citizens. . . . It is our duty, gentlemen, at the same time that we protect and guard with the greatest care and circumspection the sovereignty and rights of this State, to cultivate harmony and good understanding with the government of the United States. As a member of the Union it is incumbent on us faithfully to perform all our duties to the general government, and our sister States, and to contribute as far as lies in our power to the strength, prosperity and glory of the American empire. In the performance of these duties and the advancement of these objects, the people of Delaware will add to the respectability of their State and increase their own prosperity and happiness; for as we increase the strength, prosperity and glory of our own State, so do we contribute to the strength, prosperity and glory of the

¹ Governor John Clarke died in Smyrna in August, 1821.

United States. Let us all, both as public and private citizens then, be extremely cautious not to excite the spirit of party. It has been the destroying angel of republics."

That exceedingly intelligent and indefatigable man, Isaac Briggs, who understood perhaps better than any other man in the State the true operation of domestic manufactures on the welfare of the country, continued his efforts in that direction, and, as aids to his purpose, succeeded in establishing "Societies for Promoting American Manufactures." These societies were intended to awaken from that "drowsy indolence and stupid lethargy into which we are apt to fall after commencing an enterprise with some degree of spirit." At a regular meeting of "The Society of the State of Delaware for the Promotion of American Manufactures," E. I. Du Pont, vice-president, presiding, with Sellick Osborn, secretary, held in Wilmington on the 5th of April, 1817, Isaac Briggs offered the following resolutions, which, being considered, were unanimously adopted:

"Resolved, As the opinion of this society, that the surplus produce of the industry of any nation, beyond the necessary wants of its own population, is the only sure foundation of its independence and wealth; and the only means of supporting the expenses of its own government. That no nation can sell more of its surplus produce than other nations have an interest in buying,—this interest will always be the measure of value,—a greater or less quantity may be exported, but the value received in return will be regulated by the interest of the buying nation.

"Resolved, That, although the maxim be old and familiar, it is true, that a nation which imports a greater value than it can export must soon become poor, distressed, in debt and finally despicable. The debtor is generally, in a certain measure, the slave of his creditor, and this is true of nations as well as of individuals. Labor is the foundation of wealth, and the nation which is wise enough to extend and multiply the objects of labor and to apply it properly, so that every condition in society may find the most suitable occupation, will have the smallest portion of idle population, and, of course, will, in its trade with other nations, insure a balance in its favor, and plenty of specie, which is the conventional measure of value between nations, the basis of confidence in every other circulating medium, and the oil which enables the grand political machine to perform its functions with an easy, regular and prosperous motion.

"Resolved, That, in our opinion, no maxim is more true than, 'Let Labor alone, and it will best regulate itself,' but it is true only when its application is complete and universal; when partially and imperfectly applied it is not true. If all nations would faithfully adhere to this maxim in their international concerns, each nation might not only safely do it, but would be unwise not to do it, internally. When the regulations of other nations affect partially and derange our industry, it is a duty we owe to ourselves, by counter-selling regulations, to restore harmony, health and vigor to our own system. Whenever our government protects us against foreign interference and foreign competition, we will petition them to 'let our labor alone.'

"Resolved, That as we believe the preceding propositions to be founded in truth, and that the United States of America is on the verge of a crisis, in which, if we do not avail ourselves of a prudent foresight, we shall be taught through extensive suffering that we must so far supply our own wants from our own internal labor, as to need no more from foreign nations than they need from us. If we need less, we shall have opened for ourselves a mine of wealth richer than those of Mexico and Peru.

"Resolved, That as the natural effect of free government, there is so much good sense in the people of the United States, that they will not long remain ignorant of their true interest; that the prejudices fabricated and circulated by self-interested men,—such as that we wish to tax the great mass of our citizens employed in agriculture, to place in a hot-bed and make the fortunes of those engaged in manufactures,—will be dissipated like morning mists before the sun. Yet the noblest birth requires aid and infancy requires fostering care. Therefore,

"Resolved, That this society will unite its efforts with those of similar societies, who may concur in the measure to collect and embody a statistical account of our manufactures and our industry generally, with such remarks and observations in *political economy* as will bring the subject fully and effectually before Congress at their next session, accompanied by the emphatic voice of the people,—a voice which, in our country, never speaks in vain; and that this society will appoint one or more delegates to meet in convention at the city of Washington, during the next session of Congress, or at any other time or place, such delegates as may be appointed by other similar societies.

"Resolved, That the President sign these resolutions attested by the Secretaries; and that the corresponding committee be and they are hereby requested and enjoined to have printed five hundred copies, to communicate them to all similar societies, of which they may have knowledge, and otherwise disseminate or dispose of the same in such manner as they may deem most conducive to the objects of this society."

(Signed)

"E. I. Du Pont, Vice-President,
"SELICK OSBORN, Secretary."

In communicating these resolutions Mr. Briggs, as chairman of the corresponding committee, wrote that

"the subject of internal economy has become very interesting to the people of the United States. Our embarrassments already make us feel, and we shall feel more and more. This feeling, while it awakes attention, should excite inquiry into the cause of our distress until we are impelled to seek remedies for past, and taught by experience, to establish preventive guards against future errors. No class of people in our country is more deeply concerned in these inquiries than the cultivators of the soil; and though the evil may reach them later than less-favored brethren—the manufacturers—yet the calamity will finally be felt pressing on them with a certain and destructive weight, and crushing down their energies. There exists already in the United States a vast and increasing amount of fragments of opinion and correct knowledge. Light is widely spread, and still spreading, through every part of our land, and through every occupation. It appears to us very important that measures should be taken without delay, to concentrate this opinion and this knowledge into one clear, distinct, loud emphatic expression of the public will, addressed to Congress at their next session, accompanied with a body of facts and remarks, so complete and so lucidly arranged as to dissipate doubts and enforce conviction. We apprehend that, as the cause is common to every part of the nation, the measures proposed would receive their best form and direction in a convention of delegates from the several societies. Should you concur in the measure, and such a convention be formed, how soon would it be practicable for it to meet at New York or Philadelphia? If anything is to be done, in this way, that it ought to be commenced quickly we think very obvious."

The impetus thus given by Mr. Briggs to the encouragement of manufactures was felt in the Legislature of Pennsylvania, in which Mr. Laurie reported at length upon the condition of manufactures in that State; from the Pittsfield Committee on Agriculture and Domestic Manufactures; from the Pittsburg Memorialists to the Congress, accompanied by a report on the condition of the manufactures in that city; and from the Philadelphia Society; and from the Legislatures of New York and Connecticut.

At the election in October, 1819,¹ Mr. Molleston, Federalist, was elected Governor by a majority of about six hundred, but died before he entered upon the duties of his office. The Constitution of the State made no provision for the decease of a governor-elect; but Jacob Stout, Speaker of the Senate, assumed the duties of the office.

The Missouri question was at this time beginning to excite all quarters of the country, and to cast its lurid light over every State. In the Delaware Legislature the question of the power of Congress to prohibit slavery in the Territories was referred to a committee, which, in a very able report, recognized the power of Congress as complete over the Territories and extending to the total exclusion of slavery therefrom. Upon this report the Legislature transmitted to Congress the following resolution:

"Resolved, By the Senate and House of Representatives of the State of Delaware, in General Assembly met, that in the opinion of this Genor-

¹ It was customary for the grand jury of New Castle County to fine new members a bottle of wine, but at the January term of 1819 it taxed them one dollar each, the money to be used for the education of a Cherokee Indian. The twelve dollars was sent to the Cherokee Indian School established at Brainerd.

al Assembly, the future introduction of slaves into the territories of the United States, and into such new States as may be hereafter admitted into the Union, ought to be prohibited by Congress."

At a large meeting in Wilmington on January 19, 1820, at which Judge Booth presided, Caesar A. Rodney¹ addressed the people in favor of Congress prohibiting the further extension of slavery, and resolutions to that effect were unanimously adopted.²

Those emphatic manifestations of public opinion called forth from Senators Nicholas Van Dyke and Outerbridge Horsey and Louis McLane a letter to the following:

"That the opinion of the Legislature upon the important question now under discussion in Congress, connected with the proposed admission of Missouri as a New State into the Union, has been considered with all that deference and respectful attention to which it is justly entitled. The most deliberate examination of the subject connected with the Constitution of the United States and the treaty of cession by which the territory was acquired, has resulted in a sincere and firm conviction in our minds, that Congress does not possess the power to impose such a restriction upon the people of Missouri on the formation of that State's Constitution. It would certainly be more gratifying to us to vote on this or any question conformably to the opinion of the Legislature, if we could do so consistently with a conscientious discharge of our duties, but under our present convictions that is not in our power in this instance; we trust that the Legislature, in their candour, will duly appreciate our motives in the discharge of a painful duty, and that we shall stand excused for expressing an opinion upon the subject different from that stated in the resolution."

Among the sources of revenue for State purposes adopted by the Legislature in 1821 was that known as "transit duties," which was a law imposing a tax upon persons arriving in that State, in stage or steamboat, by land or water, of twenty-five cents each, to assist in erecting a college at the village of Newark, and for the treasury of the State. This law caused much excitement in the upper part of the State, where its operations were principally felt, and public meetings resolved "to unite in every legal mode of defeating the operation of the law." The population of the State at this time was seventy-two thousand seven hundred and forty-nine, an increase of only seventy-five persons in ten years, while New Castle County increased nearly three thousand five hundred. The other two counties decreased very nearly the same amount, yet representation remained equal between the three counties. Of the whole population, 12,958 were free blacks and 4509 slaves.

At the fall elections in October, 1820, John Collins,³ Republican, was elected Governor, with C. A. Rodney, Republican, and Louis McLane, Federalist, to Congress. Willard Hall, the then member, was defeated, as was also Mr. Mitchell. The vote for Governor was as follows:

COUNTIES.	Collins.	Green.
New Castle.....	1634	868
Kent.....	992	940
Sumner.....	1344	1712
	3970	3520

The vote for Congressmen was as follows.

COUNTIES.	Rodney.	Hall.	McLane.	Mitchell.
New Castle.....	1682	1462	1092	824
Kent.....	986	1006	913	947
Sumner.....	1358	1061	2002	1730
	4026	3529	3917	3501

Cæsar A. Rodney was elected a United States Senator from the State from the 4th of March, 1822. There were three bills before the Legislature incorporating manufacturing companies,—two with capitals of two hundred and fifty thousand dollars each and the "Cotton Manufacturing Company" on the Brandywine, with one hundred and fifty thousand dollars capital.⁴

At this time Delaware was one of the few States in which the Republican and Federalist parties maintained their old-time activity and bitterness. The election for Governor and Representatives in Congress in the fall of 1822 was severely contested. Joseph Haslet, son of the patriot who fell at Princeton, was the Republican candidate for Governor, and Judge Booth headed the Federal ticket. After an active and bitter contest the former was elected by a majority of only twenty-two votes. The Federalists elected their Congressmen—C. A. Rodney, the Republican Representative in Congress being defeated by Daniel Rodney, and Louis McLane was re-elected by a majority of six hundred and thirty-nine.

The Legislature, for the first time, had a decided Republican majority.

Considerable excitement was created in Wilmington in November, 1822, by the arrest of a number of counterfeiters, who had taken up their residence in a retired house in that city. The six men and two women, when arrested, had in their possession fifty thousand dollars in counterfeit and spurious notes, and dies for the manufacture of counterfeit half-dollars. The notes were chiefly twenty-dollar bills of the Bank of Wilmington and Brandywine, tens of the Bank of New Brunswick, and fives of the Franklin Bank of Baltimore. The counterfeiters were tried and convicted in Wilmington, and fined and sentenced in January, 1823.

Cæsar A. Rodney, having been appointed minister to Buenos Ayres, resigned his seat in the United States Senate. The period of service of Nicholas Van Dyke, the other United States Senator, expired on the 4th of March, 1823. It was important that the Legislature should elect successors to both of these gentlemen at the session of 1823. The contest, however, between the rival candidates, defeated this scheme, as the two Houses got into a quarrel over the

¹ John Rodney, of the United States Navy, the eldest surviving son of Cæsar A. Rodney, died in New York in 1817. He was attached to the "Ontario."

² A very large meeting of the citizens of New Castle County was held in Wilmington on the 15th of January, 1820, Judge Booth in the chair. A number of resolutions were adopted declaring that it was constitutional and highly expedient to prohibit the further extension of slavery. C. A. Rodney spoke in favor of the resolutions.

³ John Collins was Governor of Delaware from 1820 until his death, which occurred in Wilmington, April 15, 1824.

⁴ John C. Brinckle in March, 1823, advertised in the Wilmington (Del.) Watchman, that he had on hand for sale nearly fifty thousand yards of different kinds of domestic goods. At that time it was stated that he received from the weavers employed by him an average of about nine hundred yards per day.

Senatorships, and no one was elected at this session. The House of Representatives wished to elect the two, while the Senate demanded one. Nine gentlemen were put in nomination and ten ballots were taken, without effecting a choice. The whole number of votes cast was thirty, of which S. H. Black received fourteen votes at every ballot excepting two. On one of the ballots, George Read had twelve votes. The Legislature, as we have stated, adjourned without making a choice.

Governor Joseph Haslet died in 1823, being the third successive Governor who died without completing his term of office. He was an excellent officer. An election was held in October of the same year to fill the vacancy, when Samuel Paynter, the Federalist candidate, was elected Governor by a majority of two hundred and ninety-nine, and both branches of the Legislature had a decided Federalist majority. At the session of January, 1824, Nicholas Van Dyke was re-elected United States Senator, to succeed himself, and Hon. John M. Clayton was elected to fill the vacancy caused by the resignation of Hon. C. A. Rodney.¹

The annual election in Delaware was held on the first Tuesday of October. The following table, compiled from the *Delaware Watchman*, shows the number of votes given for the different candidates in Delaware for the office of Governor, from 1801 to 1823, inclusive. The Democratic candidates are in italics.

Years.	NAMES OF CANDIDATES.	N. CASTLE		KENT.		SUSSEX.		Aggreg. to.	MAJ. TY.	
		Dem.	Fed.	Dem.	Fed.	Dem.	Fed.		Dem.	Fed.
1801	<i>D. Hall</i> and N. Mitchell.	1465	682	1029	1080	980	1035	4992	18	
1804	<i>J. Haslet</i> and N. Mitchell.	1374	902	1035	1362	1041	2127	8441	341	
1807	<i>J. Haslet</i> and Geo. Truitt.	1249	580	952	1088	861	1641	6371	247	
1810	<i>J. Haslet</i> and D. Rodney.	1518	727	1049	1221	1031	1645	7257	71	
1813	<i>J. Biddle</i> and D. Rodney.	2633	1128	742	1407	993	2108	8411	875	
1816	<i>M. Ball</i> and J. Clarke.	1706	1090	802	1219	1000	1609	7525	491	
1819	<i>M. Ball</i> and H. Mollenst.	1444	894	811	1160	1030	1769	7098	638	
1820	<i>J. Collins</i> and J. Green.	1634	868	987	940	1344	1712	7485	445	
1822	<i>J. Haslet</i> and J. Booth.	1498	925	1130	1013	1156	1824	7546	22	
1823	<i>D. Hazard</i> and S. Paynter	1713	987	1135	1209	1203	2155	8402	300	

The *Watchman* had the following note: "It appears from the following statement that the greatest vote given by New Castle County was in 1813, amounting to 3161 votes; by Kent, 1804, amounting to 2397 votes; by Sussex, in the present (1823) year, amounting to 3358 votes, nearly 200 more than was ever given in that county.

"By the census of 1820 the population of New Castle was 27,899, Kent 20,793, Sussex 24,057.

"At the late election the votes of New Castle were in the proportion of one to every ten persons; of Kent, one to every nine persons; and of Sussex, one to every seven persons. There is no district in the Union, I believe, that exhibits so large a vote in so

small a population as Sussex. If New Castle County was to vote in the same proportion, the amount would be four thousand votes, deducting a small fraction."

Mr. Niles in his *Register* says, "This does not represent the facts of the case properly. The following shows the amount of the free whites in the several counties of the State (and no others vote) at the last census: New Castle, 22,360; Kent, 14,180; Sussex, 18,742. So that, at the late election, as New Castle gave only 2700 votes, there was one voter to eight of the white population; in Kent 2344 votes were given, or as one vote to six of the white population; and in Sussex one vote to about five and an-half parts of such population, 3358 having been given. As none, unless *tax-payers*, are qualified to vote in this State, except the sons of persons so qualified, who are between the ages of twenty-one and twenty-two, it is hard to believe that the two lower counties really contain so many voters.

"The amount of free white males in the State, above the age of twenty-one years, may be thus determined by the census of 1820,--

Half the amount of persons between the ages of 16 and 26.....	2,756
Persons from 25 to 45 years of age.....	5,007
Persons above 45.....	3,263
	<hr/> 11,025

"So that, on an average for the whole State, more than two out of every three persons above the age of twenty-one years is a voter. But Sussex, at the same rate of calculation, contains only 3744 such persons; and, as 3358 votes were taken, nearly nine out of every ten of all above the age of twenty-one years in that County are not only voters, but actually attended the polls! A most extraordinary turning-out, indeed."

The United States frigate "Congress" was fitted out for the conveyance of Mr. Rodney to Buenos Ayres, and Captain James Biddle assigned to her command. Personal differences arose between the minister and the captain, and increased to such an extent that Mr. Rodney left the "Congress" at Rio Janeiro and proceeded by private ship to Buenos Ayres, arriving there on the 14th of November, 1823. The unexpected return of the "Congress" to Norfolk was followed by a publication in the *National Gazette*, that the difference between the minister and the captain had grown out of the amount of baggage of the former. The *Gazette* represented that the trunks, bales and boxes of the minister gave the deck the appearance of an auction warehouse or pawn-brokers' depository. The *Gazette's* article excited the strongest indignation throughout the State, for Mr. Rodney was not only highly respected, but greatly beloved by all classes of citizens. It was suspected that Captain Biddle had inspired the *Gazette's* article and supplied the list of articles comprising the minister's baggage. The *Delaware Watchman* took up the subject most warmly, remarking that "in whatever light we view this affair, it appears to us to be one

¹ In January, 1823, the President appointed E. I. Du Pont, of Delaware, one of the directors of the Bank of the United States on the part of the government.

² The Governor was elected for three years, but the decease of Messrs. Mollenst., Collins and Haslet caused elections to be held out of their regular course.

which imperiously requires a prompt and ample investigation. If Captain Biddle's conduct has been such as it is represented to us, it is due to the national honor and dignity that an example should be made. Let it be well understood, hereafter, that our public ships are the property of the nation and not of the commanders; and let these commanders know by an impressive example the immeasurable distance between a captain in the navy and an American ambassador, the representative of the nation." It had been said that Captain Biddle had "transshipped" the minister and his "effects" in so hurried a manner that the minister experienced much difficulty from the Brazilian officers from the want of the requisite permits, and that what remained of the furniture and effects after the damage to them from the stowage in the "Congress" was effectually destroyed in the transshipment. The matter was immediately taken up by the Legislature of Delaware, and resolutions unanimously passed by both Houses denouncing the conduct of Captain Biddle, expressing the affection and respect of the State for Mr. Rodney, and calling upon the Senators and Representatives in Congress to demand an inquiry into the matter.

That Mr. Rodney carried an unusual amount of baggage is very probable, and that Captain Biddle, accustomed to the whole cabin, felt inconvenienced with the wife and eleven children of the minister is equally probable, but these are not sufficient excuses for the conduct of Captain Biddle. Mr. Rodney arrived at Buenos Ayres on November 14th, and was taken dangerously ill on the 23d. On the 27th of May, 1824, Mr. Rodney was the recipient of the compliment of a public dinner, at which the last public speech of his life was made. His death took place on the 10th of June, 1824. Sprung from one of the most distinguished families in the State, Mr. Rodney derived his principles from a father remarkable for his firm attachment to truth, and from an uncle, Caesar Rodney, who periled life to attach his signature to the Declaration of Independence. The affection and respect with which Mr. Rodney was regarded in Delaware is attested by the honors and offices bestowed upon him by the people of his State.

General Lafayette, the French soldier and patriot, who shed his blood in the cause of American liberty at the battle of Brandywine, on the 11th of September, 1777, visited this country in 1824. He was then sixty-seven years of age, nearly a half century after the opening of the war for independence, in which he took so conspicuous and honorable a part. He landed in New York August 16th, where he was enthusiastically received as the "nation's guest," and from there began his triumphant tour through the twenty-four States which then formed the Union. In many places flowers were strewn along his pathway, his carriage detached from the horses and drawn by the enthusiastic people and the grateful words "Long live Lafayette!" were heard on every side.

The distinguished visitor arrived in Wilmington,

from Philadelphia, on Wednesday, October 6, 1824. A committee of prominent citizens of New Castle County, appointed at a meeting held in the City Hall, proceeded to the Pennsylvania State line to meet him. The members of this committee were Louis McLane, William P. Brobson, Colonel Samuel B. Davis, Victor Du Pont, James R. Black, James Rogers, John Sellers, John Gordon, David C. Wilson, John Merritt, Henry Whitely, Dr. A. Naudain and Peter Caverly. They were accompanied by a newly-formed troop of horsemen the Lafayette Guards commanded by Captain Moore, and many citizens. The civic procession consisted of about two hundred fine-looking young men dressed in blue and black coats, black stocks and white pantaloons, handsomely mounted and exhibiting the Revolutionary cockade and Lafayette badge. A fine band of music followed in their train.

Lafayette remained one night in Chester, reaching the State line at ten A.M., accompanied by his son George Washington Lafayette, Auguste Le Vasseur, Governor Shulze of Pennsylvania and suite, General Cadwalader and suite, General Robert Patterson, the First City Troop of Philadelphia, and a committee from Chester. Upon meeting the Wilmington delegation he alighted from his barouche and was addressed by Hon. Louis McLane. General Lafayette replied to Mr. McLane in a speech replete with feeling allusions to the part taken by the State of Delaware in the Revolutionary War and to the heroism of the gallant regiment of Delaware, of whose soldierly conduct the general said he had often been an eyewitness. Peter Jacquett and Caleb P. Bennett, two Revolutionary officers, and many citizens were then introduced.

The procession was again formed and increased in size as it approached Wilmington. At Naaman's Creek it passed under a floral arch with an eagle suspended from the centre, a Revolutionary flag, a portrait of Washington underneath and the words "Delaware Welcomes Lafayette." On the brow of Shellpot Hill, then about two miles from Wilmington, the citizens were apprised of the approach of the procession by a salute of thirteen guns.

At Prospect Hill he was joined by the Grand Lodge of Delaware, mounted, and one hundred Free Masons attended by the officers of the different lodges preceded by J. G. Brinckle, Grand Master of the State. When the procession arrived in sight of Wilmington, the bells struck up a merry peal, and joy and exultation reigned supreme among the people. As he neared the Brandywine bridge, which was artistically decorated, the vast concourse crowded around the barouche and welcomed him with enthusiastic cheers. Here for the first time in America his feelings overcame him; he bowed to the multitude and in sympathetic tones said: "I thank you, I thank you, my friends," as the tears streamed down his cheeks. After composing himself he turned to Hon. Louis McLane, who was seated in the barouche with him,

and said: "Well, it is forty-two years since I was here and how pleased I am to visit your town and its people again!" A decorated arch was raised over Market Street and the multitude cheered as he passed under it in the lead of the procession, which passed down Market Street, down Fourth, up King, down French to Front, to Market, where there was an evergreen arch, pending from which were cornucopias, and from the centre a small ship "Brandywine," and the words "In honor of Lafayette, the Friend of Civil Liberty." There was another arch of evergreen in front of Lafayette Hotel, on Market Street corner of Third. At the city hall he alighted from the barouche, passed under small arches to the upper room of the hall, where an address of welcome was made by Chief Burgess James Brobson, and by Joshua G. Brinkle, Grand Master of the Grand Masonic Lodge of Delaware, to which Lafayette responded in a brief speech. Addresses were also made by Gov. Shulze of Pennsylvania and the Hon. Louis McLane. They all then partook of a banquet in the hall prepared by Gen. James Wolfe. On that day the ladies of Wilmington were dressed in white and their hair ornamented with flowers. The welcome they gave him was heartily appreciated. Immediately after dinner Lafayette paid a visit to Mrs. Connell, the wife of the gentleman who was noted for his generous attentions to the French soldiers after their defeat in Russia and while on their flight to France. He was then waited on by a committee of young men of the town, and Samuel Harker, editor of the *Delaware Gazette*, addressed him in their behalf. In his response Lafayette spoke of some of the scenes and incidents of the War of the Revolution in the vicinity of Wilmington.

In the afternoon of the same day General Lafayette and his suite, in company with his son and Louis McLane, proceeded to New Castle. There he attended the wedding of Charles I. Du Pont, son of Colonel Victor Du Pont, and Miss Dorcas Montgomery Van Dyke, daughter of Hon. Nicholas Van Dyke. At ten o'clock that night he started from New Castle for Frenchtown. At the Maryland line he left the barouche in which he rode from Philadelphia, took a seat in a carriage with General Freeman, and attended by the Governor of Maryland and his aids, bade Delaware an affectionate adieu and proceeded to Frenchtown, where he took a boat for Baltimore.

After visiting many cities and everywhere received with demonstrations of gratitude, he turned his steps toward Mount Vernon to visit the tomb of Washington. Wishing no one to witness his emotions, he descended alone into the vault. The secret of that meeting of the living with the dead no one ever knew. He then took his son and secretary by the hand and led them in, and all knelt reverently beside the remains of the distinguished dead.

One of the last acts of Lafayette in this country was to lay the corner-stone of Bunker Hill monument in the presence of fifty thousand spectators.

He was then the last survivor of major-generals of the Revolution. Early in 1825 General Lafayette, after completing his tour of the States, spent a few days as the guest of the Du Ponts, with whom he viewed the battle-ground of Chadd's Ford. A public dinner was given in his honor on the site of the battle. After returning to the city he wrote the following in the album of Miss E. Du Pont:

"After having seen, nearly half a century ago, the banks of the Brandywine a scene of bloody fighting, I am happy now to find upon them the seat of industry, beauty and mutual friendship."

He remained in this country until September 8, 1825, when he received from President John Quincy Adams¹ a national farewell, and on board the frigate "Brandywine" sailed down the Potomac River for his native land.

General Lafayette died in France, May 20, 1834, at the age of seventy-seven years. On July 29th following, the citizens of Wilmington determined to "honor and reverence the memory of the distinguished patriot." A solemn funeral was formed and passed through the principal streets of the city in the following order: The Governor of the State, the Mayor, Clergymen, Members of the Bar, large white horse dressed in deep mourning, led by a groom, Masons, Odd Fellows, a white charger led by a groom with chapeau, Cordwainers' Society, Benevolent Society, Brandywine Coopers' Association, young men between sixteen and twenty-one years, one hundred little boys dressed in white "pantaloon," headed by a white banner with "We mourn our loss," military companies, and citizens, one thousand persons in all. All the bells in the city were tolled as the procession passed through the streets and minute-guns were fired from the revenue cutter in the Christiana. After the procession the Rev. Isaac Pardee delivered an impressive discourse in Hanover Presbyterian Church.

The appointment of electors to elect the President and Vice-President had been, by law of 1800, committed to the Legislature of the State. In 1824 an effort was made to change the mode to that of election by the people. With this view, when the Legislature convened in November of that year for the purpose of appointing electors, Mr. Black, of New Castle, introduced a resolution assailing the prevailing mode, and declaring it to be *inexpedient* and improper for the Legislature to appoint the electors, and providing for a joint committee of the two Houses to prepare and report as soon as practicable a bill providing for the repeal of the law of 1800, and directing the time

¹John Quincy Adams visited John Connell at "Tusculum," the property now owned by Dr. McKay. Connell was interested in the French Spoliation Claims, had spent considerable time in France, and while there urged upon Lafayette that he should visit this country. John Connell frequently visited Washington, and there formed the acquaintance of many of the leading statesmen of his day. Among them was the "old man eloquent," President John Quincy Adams, whom he invited to visit him in Wilmington. While the President was in Wilmington enjoying a drive he asked the name of the country-seat now owned by Henry G. Banning, and then by Mr. Connell. He was told it had no name, whereupon the distinguished guest advised him to call it "Quincy," a name by which it was afterwards known for a time. It was purchased by James T. Bird, who resided there for many years.

and manner of holding elections in the several counties for the appointment of the electors of the State. The time was not ripe for the change, and the resolution of Mr. Black having been laid on the table, the two Houses proceeded to appoint electors. The ballots upon being counted, showed that J. G. Rowland had received twenty-one votes, John Caldwell fifteen votes, and Isaac Tunnell fifteen votes. The two Houses having separated and returned to their respective chambers, Mr. Clement offered in the House of Representatives a resolution "solemnly protesting against commissions being issued to J. G. Rowland, John Caldwell and Isaac Tunnell, because, although Joseph G. Rowland had twenty-one votes, being a majority of all members of the two Houses present, yet as no other candidate voted for had such majority, and it is deemed contrary to the Constitution of the United States and the law of the State that one elector only should be appointed when the State is entitled to three: that John Caldwell and Isaac Tunnell cannot be considered as entitled to certification, as neither of them had a majority of all the votes given, there having been thirty votes taken and neither of them having more than fifteen out of such votes." The protest was signed by John Crow, C. Vandegrift, Jos. England, John Exton, S. H. Black, David Penny and Josiah Clement. Notwithstanding the protest, the certificate of appointment of electors was signed by the Speaker and attested by the clerk.

Up to 1825 Delaware was the only State in the Union in which the old Federalist and Democratic parties were strictly kept up. In that year the Democrats carried the Legislature, having carried New Castle and Kent Counties, while Sussex remained Federal. Charles Polk was elected Speaker of the Senate, and Arnold Naudain, Speaker of the House of Representatives. The contest for the State in the next year was rendered of more than ordinary interest, not only by the fact that the Presidential contest might be thrown into the House of Representatives and the State hold one-twenty-fourth part of the elective power, but Senator Van Dyke having died, and the term of Senator Clayton expiring, the Legislature to be elected would have two Senators to elect. In addition, Mr. Naudain, the Democratic Speaker of the House, proposed to contest with the Federalist, Mr. McLane, for Representative in Congress. At the election, Charles Polk, Federalist, was elected Governor and Mr. McLane, also Federalist, to Congress,—the vote standing, for Polk, 4334; for Hazard, 4238,—majority ninety-six; for McLane, 4261; for Naudain, 3931,—majority, six hundred and ninety. Both Houses of the Legislature were Federal,—there being seventeen Federalists and thirteen Republicans. During the recess Daniel Rodney was appointed Senator by the Governor, but upon the assembling of the Legislature, Henry M. Ridgely was elected to the unexpired term of Mr. Van Dyke, and Louis McLane to succeed Mr. Clayton. The election was said by the *Watchman* to have been decided "on the old con-

test between the Democrats and the Federalists," and that it "was entirely owing to the latter that Messrs. Ridgely and McLane were elected." These old parties were at that late day very nearly as closely drawn as they were in 1798. The promotion of Mr. McLane to the Senate necessitated an election for member of Congress, which took place in September, 1827. Kensey Johns, the candidate supported by the friends of the administration, was opposed by Mr. Bayard. The vote was, for Bayard a majority of three hundred and sixty-nine in New Castle County; and in Kent a majority of four hundred and nine, and in Sussex a majority of three hundred and fifty-five for Johns; making seven hundred and sixty-four for Johns and three hundred and sixty-nine for Bayard.

In 1828 the House of Representatives in the Legislature of Delaware was equally divided on the Presidential question, and could not elect a Speaker,—having balloted from Tuesday to Saturday, and standing ten to ten; it broke up informally, *sine die*. Having in a manner dispersed, the House could meet again only on the call of the Governor. These unusual proceedings created a very great excitement throughout the State, and accusations of "intrigue, bargain and corruption" were rife and freely used against some of the members, who, it was alleged, had been offered office if they would vote as desired.

At the election in October, 1828, Mr. Johns was re-elected to Congress by a majority of four hundred and nineteen over Mr. Bayard. The political designations are those of *Adams* and *Jackson*. The Legislature elected stood: Senate, five Adams and four Jackson; and House of Representatives, fourteen Adams and seven Jackson; thus securing the appointment of Adams electors. The Legislature, upon assembling, elected John M. Clayton, Senator for six years from the 4th of March, 1829, in place of Mr. Ridgely. The mode of choosing electors was altered by the Legislature, and the general ticket system adopted.

In the testimony respecting manufactures taken before a committee of Congress in 1828, W. W. Young, of Brandywine, Delaware, testified that the capital of his manufacture of woollen goods was upwards of one hundred thousand dollars, of which twenty thousand dollars was then in raw material and manufactured articles. Upwards of twenty-one thousand dollars was in machinery, residue in real estate, mill-gear and buildings, twenty-five thousand dollars in dwellings for workmen, had been in operation since 1813, and made principally blue cassimeres, and work up coarse wool into satinetts. For the last three years had been curtailing business in consequence of low prices. On the close of the partnership of W. W. Young & Son, in 1825, the partners did not receive two per cent. on capital. Since 1825 the business had been a losing one. Employed fifty hands, and paid superintendent eight hundred dollars, clerk one dollar per day; twelve men at five to seven dollars per week; males under twenty years

sixty-two and a half cents to three dollars per week ; three women at seven dollars per week, one man at thirty dollars and three at eighteen, board included.

The manufactory of E. I. Du Pont, at Wilmington, had capital of upwards of seventy thousand dollars, with buildings valued at forty to fifty thousand dollars, made coarse cloths, and kerseys for the army from common country wool, satinets from Smyrna and South American wool, and from the coarsest kind of country wool made cloths and a cloth called linsey for negro clothing. From twenty to twenty-five thousand yards of all these kinds annually. The coarse cloths and kerseys were about six-fourths yards wide when finished, the satinets and negro clothing were generally about three-fourths wide, but the linsey was much wider. The business had always been a losing one.

The prices returned by Mr. Young were blue cassimeres, average price in 1825, \$1.40; in 1826, \$1.30; in 1827, \$1.25; sales more brisk in the fall of 1826, in spring of 1827, but prices no better; coarse cloths, called satinets, sold in fall of 1827 at a fair price compared with 1825 and 1826, owing to the market not being crowded with them, by reason of the depression in these years.

The prices returned by Du Pont were indigo blue army clothing, in 1825, \$2.30; in 1826, \$2.24; in 1827, \$2.12½; gray kerseys in 1825, \$1.35; 1826, \$1.25; in 1827, \$1.10; satinets, in 1825, .75½; in 1827, .40 to .50; negro clothing in 1825, .35 to .40; in 1827, .25 to .30 cents per yard.

The stock in the Bank of the United States held by citizens of the State in 1828 was twelve hundred and sixty-four shares under thirty-eight names.

Colonel Allen McLane, the venerable and distinguished soldier of the Revolution and collector of the port, died at the age of eighty-three, at Wilmington May 22, 1829.

At an early period of the session of 1826-27 a bill was introduced in Congress to increase the duty on wool and woolen manufactures. Immediately after the passage of the tariff act of 1824 the English prosecuted their business with unusual activity and flooded this country with their fabrics, which were sold at great profits. Anticipating sufficient protection from the Tariff Act of 1824, and encouraged by the success which attended the British manufacturers, the people of this country made large investments in manufactures. The tariff of 1824 raised the duty on imported woolen goods eight per cent. and on wool fifteen per cent.; more than one-third of the quantity of wool used in American manufactures was imported from European countries, at a duty of thirty per cent. while the protection to American woolen manufactures was only thirty-three and one-third per cent. *ad valorem*. The evasion of the law was the subject of complaint, more than the inadequacy of the duty. To prevent this evasion was only practicable by changing the mode of determining the *ad valorem* duty, or by adopting a

minimum duty, which it would be impossible to evade. On the 27th January, 1827, Mr. Mallory, of Vermont, from the Committee on Manufactures, reported a bill "for the alteration of the acts imposing duties on imports," commonly called the "woolen bill." This bill proposed no change in the nominal duty on woolen manufactures, but it provided for estimating the duties on what was called the *minimum* principle. The division of the House on this measure was more on geographical than party lines; a large portion of the friends of General Jackson in the Northern States were decided protectionists, among whom was Mr. McLane, of Delaware, who united with other friends of General Jackson in opposing the bill. Mr. McLane admitted that the woolen manufactures were suffering a severe depression; that the act of 1824 had induced large investments of capital in this branch of manufactures and double the usual quantity of domestic woollens had been thrown into the American market. At the same time the opening of the trade of the South American States had led the British manufacturers largely to increase their capital to supply that market. Having over-estimated the demand, and having been met there by a successful competition on the part of our manufacturers, they soon found themselves in possession of a large surplus, which they sent to this country to be sold at almost any price it would bring. The flourishing state of the woolen manufactures, soon after the passage of the act of 1824, proved the sufficiency of that act as a measure of protection, if its intentions had been fulfilled. And he was willing to go the full extent of it by substituting a specific for an *ad valorem* duty.

The influence of manufactures on property was shown in 1828, in the assessed value of lands in New Castle County. The highest rate was \$44.04 per acre in Christiana Hundred, where there was the largest manufacturing, and \$7.04 in Appoquinimink, where there was the least manufacturing. All other hundreds approached or retired from the highest value in proportion to their manufacturing interest. Brandywine was \$31.47½ per acre, while the generally more fertile lands of New Castle rated at only \$21.92. The total value of lands and lots in the whole county was \$8,086,932; and of this sum \$2,710,000 was in Christiana Hundred. The *Delaware Journal* adds that "the wealthy company which has purchased the extensive establishments that lately belonged to the Messrs. Gilpin on the Brandywine, are prepared to expend half a million of dollars in additional works, *provided the 'American System' shall not be abandoned.*"

President Jackson¹ appointed Hon. Louis McLane minister to England in 1829, and gave him special instructions in relation to the negotiations in the

¹ Andrew Jackson was announced to pay a visit to Wilmington in 1833, soon after his second inauguration as President of the United States. He, however, came no nearer than New Castle, on the Union Transportation Line, and after spending a short time there, left on a steamboat for Philadelphia. A great many of his personal friends in Wilmington went to New Castle to see him.

vexed question of British colonial trade. He was directed to represent that the American people, in effecting a change of administration, had testified their disapproval of the acts of the late administration, and that the claims set up by them, which had caused the interruption of the trade in question, would not be urged. In 1831 Mr. McLane was recalled from London to become Secretary of the Treasury, from which he was transferred in 1833 to be Secretary of State, which office he resigned in June, 1834. In June, 1845, Mr. McLane was appointed by President Polk minister to England.

On the eve of Mr. McLane's departure for England, in 1829, his fellow-citizens of Wilmington extended to him the compliment of a public dinner, at which Gen. John Caldwell presided, and Richard H. Bayard was vice-president. In response to the toast: "Our Guest, the Hon. Louis McLane, whose talents and moral force have sustained him amidst collisions of party, and secured him ultimately the confidence of his government and country," Mr. McLane felicitously replied. The sentiments of the toasts all gave expression to the political and domestic questions of the times. "Domestic Industry and Internal Improvements;" "The memories of Jay and Hamilton, the able coadjutors of the venerable Madison;" "The Commercial Treaty with Great Britain;" all indicated the drift of the political sentiment of the State. In October, 1829, David Hazzard, "American Republican," was elected Governor by 167 majority, and the Legislature stood more than two-thirds "American Republican." The Legislature elected Dr. Arnold Naudain, "Anti-Administration," to the Senate of the United States, to fill the vacancy caused by the appointment of Mr. McLane to be minister to England. Dr. Naudain was a very decided supporter of the "American System." John J. Milligan was appointed chancellor of the State in place of Nicholas Ridgely, deceased. Mr. Milligan declined the office, and Kensey Johns, chief justice and father of the then member of Congress, was appointed in his stead. Mr. Johns having declined the election as Representative in Congress in 1830, Mr. Milligan, "Anti-Jackson," was elected over Henry M. Ridgely, recently a United States Senator, by 434 majority. The convention which nominated Mr. Milligan unanimously adopted resolutions favoring the nomination of Henry Clay for President, because of "his devotion to, and uniform support of, the cardinal interests of our country—of civil, political and religious liberty, and of the Union." Benjamin Potter was president; Isaac Gibbs and Robert Burton, vice-presidents; and S. H. Hodgson, James Siddal and Derrick Burnard were secretaries of this convention.

The Legislature of Alabama having forwarded resolutions to the Legislature of Delaware, approving the course of General Jackson and nominating him again for President, the subject came up in the Legislature on the report of a committee composed of Messrs. Huffington, Rodney and Kennedy, denouncing "the

conduct of Andrew Jackson, as President of the United States, in refusing his signature to the Maysville road bill and other bills for the promotion of internal improvements, in some of which the State was greatly interested, meet with the unqualified disapprobation of this Legislature, and that we can but view the same as a wanton exercise of power, regardless of the interests of the people;" and this was followed by another resolution emphatically declaring that the election of Henry Clay would meet the desires and wishes of the people of the State.

Martin Van Buren was nominated as minister to England in 1831, and the debate in the Senate on his confirmation ran through several days. Mr. Clayton was among the opponents of confirmation, declaring that the minister had been sent with instructions to fawn and beg as a boon, at the foot-stool of a foreign power, what we were entitled to as a right; to abandon as untenable "pretensions" what had always been insisted on as a matter of justice, and to consider our government in error for having "too long resisted the rights of Great Britain." He (Mr. C.) would this day, by his vote, say to England, we would never crouch for favors; and to all our ministers, now and forever, that we would condemn every attempt to carry our family divisions beyond our own household.

Soon after the Southampton tragedy, in which several families in Virginia were massacred by a body of runaway slaves, many of the citizens of Delaware became suspicious of the blacks. Rumor made himself exceedingly busy in spreading false alarms, throughout the State, of plots and conspiracies, forming and in progress, and soon to break out against the white population. Some appeared in constant fear of danger, while most others viewed all such accounts as fabrications of the wicked and designing, or mere chimeras of the brain and wholly without foundation. While the public mind was in the feverish state of excitement, some mischievous persons, in cruel sport, laid a plan to bring it to its utmost height. On the day of the general election in October, 1831, the day on which it had been previously reported the blacks were to rise, a number of men assembled together on the banks of the Nanticoke River, just in sight of the town of Seaford. They divided into two parties, and one portion of them appeared to be firing on the others, some of whom fell, pretending to be shot; and some ran into the town and reported that the negroes had landed just below, had killed several white men, and were preparing to march through the country for purposes of destruction. Consternation for the moment seized upon all. The fearful ran and hid themselves in the woods, while the stout-hearted flew to arms. A messenger was immediately sent to Bridgeville (where most of the male population had assembled for the purpose of voting) to give the alarm and call home the citizens to the protection of their families. When they received the news, which cost nothing by carrying, party strife, which was raging at the time,

settled into a calm at once, and there was no more voting or disputing of votes there that day. An express was instantly started for Kent County, who arrived at the nearest election ground just as they had begun to tally out the votes. He informed the people there assembled that fifteen hundred negroes had landed on the Nanticoke from Maryland, and were in full march up the country. Here confusion and dismay took possession of every mind. The business of the election stood still, and one of the clerks in his fright ran off with the ballot-box, and could not be found until the alarm had partially subsided the next day. It was soon, however, discovered that all the reports were wholly without foundation, and yet the people throughout the two lower counties acted exactly as if they had been strictly true.

Meetings were suddenly called and held in every town and village. Law was disregarded, and resolutions passed and carried into immediate effect to disarm the free negroes, and prevent their assembling together. All the males capable of carrying arms were classed and numbered, and divided into squads of six or seven, with orders to patrol the streets every night by turns, which was done for several weeks. Without order or authority they rushed into the arsenal, and each man took out a musket and bayonet. Preparations for war were made on a more extensive scale than would have been done had it been reduced to a certainty that a foreign enemy had landed an army at Lewes. During the whole of these proceedings the poor negroes looked on with wonder and amazement. This state of affairs continued for a month, when all were satisfied that their alarm had been without cause. However, at the next session of the Legislature a law was passed to disarm the free negroes and mulattoes; to prevent their holding religious or other meetings unless under the direction of respectable white persons; and forbidding non-resident free negroes to preach or attempt to preach, or hold meetings for such purpose; with several penalties annexed to the breach of the several provisions of the law, part of which were, that the offenders should be sold as slaves if unable to pay the fines and costs imposed. The law was never carried strictly into effect, although constantly broken by the blacks.¹

In 1831 a bill to abolish imprisonment for debt containing, as it was believed, ample provisions for securing the rights of all parties, was introduced into the House of Representatives of Delaware. It passed that body, but was lost in the Senate by a close vote. At the next annual session the same bill was again passed through the House, and would have passed the Senate, had it not been for the interference of some gentlemen who were not members.

The snow-storm of 1831 is well remembered by some of the oldest citizens. It occurred on a market day, and hundreds of country people were obliged to remain in town for a considerable time. The turn-pikes and public roads were filled with deep piles of

snow formed by a heavy gale of wind which accompanied the snow fall. The Kennett Road (now Delaware Avenue), Wilmington, was filled with these drifts to the depths of five or six feet, and the snow-shovel brigade was busy for two days removing them. Several farmers, early in the morning, endeavored to go home on horse-back, and while passing up Pasture Street (now Washington), above Eighth, the horse of one of them fell into a well, and lodged part way down it. The animal was miraculously saved from death by being drawn up with ropes by a number of men and boys, of whom Caleb Miller, now residing on Tatnall Street, Wilmington, was one.

On February 8, 1831, all of the buildings and woodwork in Fort Delaware, excepting the quarters of Major Pierce, were totally destroyed by fire, entailing a loss of one hundred thousand dollars. There were several explosions of gunpowder, but no casualties, notwithstanding one hundred and fifty persons were in the fort. The river was full of floating ice, and communication was effectually cut off from the shore at the time. The officers and soldiers lost nearly all their clothing and effects. The people of Wilmington thought New Castle was again in flames, and sent their fire apparatus to that town before the mistake was discovered. The ladies were taken from the fort the following day to Delaware City in a sloop.

As early as 1820 the subject of changing the judiciary system of the State led to an agitation of the question of a new Constitutional convention. Article X. of the then-existing Constitution (1792) gave authority to the Legislature to propose, by a two-thirds vote of each House, and with the approbation of the Governor, amendments to the Constitution, which should be ratified by the succeeding General Assembly before they became laws. It also provided that "no convention shall be called but by the authority of the people; and an unexceptionable mode of making their sense known will be for them, at a general election of Representatives, to vote also by ballot for or against a convention, as they shall severally choose to do; and if thereupon it shall appear that a majority of all the citizens in the State having right to vote for Representatives have voted for a convention, the General Assembly shall, accordingly, at their next session, call a convention, to consist of at least as many members as there are in both houses of the Legislature, to be chosen in the same manner, at the same places and at the same time that Representatives are, by the citizens entitled to vote for Representatives, on due notice given for one month, and to meet within three months after they shall be elected."

In pursuance of this, the General Assembly, on January 16, 1830, passed an act making it the duty of inspectors at the next general election to count the vote "for" and "against" the convention. This was done at the election held on the first Tuesday in October, 1830, and a majority of the votes were found

¹ William Hurlington's *Delaware Register*, pp. 318, 320.

to be for the proposed convention. The General Assembly, thereupon, passed an act providing for the convention to be held at the State-House in Dover, November 8, 1831, and to be composed of ten delegates from each county. The delegates were chosen at the general election in October, 1831, as follows:

New Castle County.—John Elliot, James Rogers, Charles H. Haughey, Willard Hall, John Harlan, Thomas Deakne, William Seal, Thomas W. Handy, George Read, Jr., John Caulk.

Kent County.—Charles Polk, Andrew Green, Hughett Layton, Benajah Thorp, John M. Clayton, Elias Naudain, Peter L. Cooper, James B. Macomb, Presley Spruance, Jr., John Raymond.

Sussex County.—Samuel Ratcliffe, Thomas Adams, William Dunning, James Fisher, James C. Linch, Edward Dingle, William Nicholls, Joseph Maull, William D. Waples, Henry F. Rodney.

The convention assembled in the hall of the House of Representatives on Tuesday, November 8, 1831, with Judge Willard Hall as temporary chairman. Charles Polk was elected president, and William Brobson secretary. The legislative chamber being found too small to accommodate the convention, the Presbyterian Church was secured, and the subsequent sessions were held in it. The following committees were appointed:

On the Judiciary Department.—Messrs. Read, Rogers, Harlan, Handy, Spruance, Cooper, Waples.

On the Executive Department.—Messrs. Hall, Haughey, Naudain, Macomb, Adams.

On the Legislative Department.—Messrs. Clayton, Green, Seal, Elliot, Hall, Dunning, Nicholls.

On Proper Qualification for Office.—Messrs. Deakne, Caulk, Raymond, Fisher and Linch.

Other committees were appointed on Suffrage, Electors, County Rates and Levies, and the reports of the different committees made from day to day were considered and acted upon. A number of amendments were made; but the most important change was embodied in Article IX., which has been the principal subject of agitation ever since, and which developed such importance as to have been made, from time to time, the principal issue in political campaigns. It related to the mode of changing or amending the Constitution. Hon. John M. Clayton was the author of it, and following is the text:

"The General Assembly, whenever two-thirds of each House shall deem it necessary, may, with the approbation of the governor, propose amendments to this constitution, and at least three, and not more than six, months before the next general election of representatives, duly publish them in print for the consideration of the people; and, if three-fourths of each branch of the Legislature shall, after such an election and before another, ratify the said amendments, they shall be valid to all intents and purposes as parts of this constitution. No convention shall be called but by the authority of the people; and an unexceptionable mode of making their sense known, will be for them at a special election on the third Tuesday in May in any year to vote by ballot for or against a convention as they shall severally choose to do; and if thereupon it shall appear that a majority of all the citizens in the State, having the right to vote for representatives, have voted for a convention, the General Assembly shall accordingly, at their next session, call a convention, to consist of at least as many members as there are in both houses of the Legislature, to be chosen in the same manner, at the

same places, and at the same time that representatives are, by the citizens entitled to vote for representatives, on due notice given for one month, and to meet within three months after they shall be elected. The majority of all the citizens in the State, having the right to vote for representatives, shall be ascertained by reference to the highest number of votes cast in the State at any one of the three general elections next preceding the day of voting for a convention, except when they may be less than the whole number of votes voted both for and against a convention, in which case the said majority shall be ascertained by reference to the number of votes given on the day of voting for or against a convention; and whenever the General Assembly shall deem a convention necessary they shall provide by law for the holding of a special election for the purpose of ascertaining the sense of the majority of the citizens of the State entitled to vote for representatives."

George H. Bates, in a speech before the Young Men's Democratic Club of Wilmington, recently (1887) referred to this subject in the following terms:

"In the convention of 1831 the manner of calling future conventions was introduced by Mr. Clayton as a subject of great importance to the people. He considered that there was a vagueness in the old constitution in the article on the subject of the manner in which the sentiments of the people should be ascertained. Hence, he proposed an article, subsequently adopted, and now a part of the present constitution.

"The point of Mr. Clayton's remark at this time was that a special, rather than a general, election was the better opportunity for obtaining the sense of the people. When the subject came up for discussion Mr. Read approved the provision for a special election, but the requirement of a majority of persons entitled to vote was ascertained by too restrictive a plan. He said very truly 'if you wish to devise a plan by which no other convention should be held, it would be in this way.' 'Throw it off to a bye election, and will it not be the same as to say there never shall be a convention at all? I do not believe we shall ever see another convention. I wish, not for my own part, ever to sit in another. But shall we deprive our posterity of this privilege? Are we willing to have our children less free than ourselves?'

"Mr. Dingle agreed that the proposed arrangement would be practically prohibitory. Judge Hall considered that special elections were not favorable for expressing the sense of the people. He also objected that the provision was intended to prevent the calling of a convention without an act of Assembly. 'In this manner the wishes of the people might be evaded. The people would not have this important measure, the calling of a State convention, within their own control.' It was in reply to all these objectors that in closing the debate Mr. Clayton, the author of the proposed article, and its chief spokesman, used this language:

"This amendment does not prevent the people from expressing their opinion in any other way, it only declares that we think they are unexceptionable modes."

"... The inherent right of the people so to express their opinion was emphatically declared by John M. Clayton, the author of the ninth article of the constitution, in a famous address of which he was also the author; and Mr. Clayton, prior to this time, had given the best evidence of his opinion on this subject by going to the polls, November 4, 1831, and voting 'for a convention.'"

The final session of the convention was held on the evening of Friday, December 2, 1831, at which a copy of the Constitution as revised, and a schedule containing provisions of a temporary nature, but necessary for carrying the Constitution into effect, were read by Hon. John M. Clayton, and passed by the convention unanimously, after which an address was delivered by the president, a prayer was offered by Rev. Mr. Adams, one of the members, and the convention adjourned. Thus the Constitution of 1831 became the organic law of the State without being submitted to the people for ratification or rejection, and has continued as such ever since.¹

¹ Subsequent to the adoption of this constitution efforts have been made to amend it by the General Assembly as follows:

To change the time of elections proposed, February 6, 1845, Delaware laws, vol. x., p. 22. Failed in next session by a vote in the House of 14 to 6, having passed the Senate February 6, 1845, Delaware laws, vol. x., p. 197.

Same proposed again January 12, 1849, Delaware laws, vol. x., p. 229.

Same proposed again January 24, 1855, Delaware laws, vol. xi., p. 98. Ratified January 30, 1855, Delaware laws, vol. xi., p. 165.

For two or three years immediately preceding 1851 the necessity of a new Constitution was advocated, particularly in view of proposed reforms, which was briefly summarized as follows: Abolition of slavery, free suffrage without prepayment of tax, district representation according to population, non-property qualification for office, reform in judiciary, popular election of public officers, executive veto, annual elections and tax reforms, and at the general election of 1850 a number of tickets were voted bearing the inscription, "for a convention." The General Assembly accordingly passed an act, February 26, 1851, providing for the taking of the sense of the people at a special election to be held on October 25, 1851. A majority of votes were cast for a convention, but not a majority of all the legal votes, as provided by Article IX. of the Constitution. It was decided, however, that a "majority" had been cast, and the General Assembly, on February 4, 1852, passed an act providing for the election of delegates, to the proposed Convention, by hundreds, at the general election held on the first Tuesday in November. Delegates were chosen as follows:

New Castle County.—James A. Bayard, Benjamin T. Biggs, Daniel Corbit, Benjamin Gibbs, John R. Latimer, William C. Lodge, George Maxwell, Rothwell Wilson, James Springer, Andrew C. Gray.

Kent County.—Martin W. Bates, John S. Bell, William Collins, Charles H. Heverin, Henry Whitaker, James R. Lofland, Richard H. Merriken, James H. Smith, Caleb Smithers, William Wilsenon, Charles Marim.

Sussex County.—John H. Burton, John W. Callo-way, William S. Hall, David Hazzard, Tyras S. Phillips, Nathaniel W. Hickman, Robert B. Houston, Thomas A. Jones, Truston P. McColley, Jesse Long.

The convention assembled at the State-House in Dover on the first Tuesday in December, 1852. After consultation it was decided that the labors of the convention could not be completed before the meeting of the Legislature in January, and an adjournment was made until March 10, 1853. On this date the delegates reconvened and organized with Truston P. McColley, president; Charles Marim, secretary. There were twenty members present. Hon. Andrew C. Gray, Hon. James R. Lofland and the Hon. David Hazzard were named as a committee to draft rules for the government of the convention, when Mr.

Gray announced that he could not act on the committee, and he did not expect to be governed by any rules it might adopt. The president thereupon announced that he had a communication from Judge Hazzard tendering his resignation. Mr. Gray presented resolutions attacking the constitutionality of the convention. The convention adjourned to take up the resolutions as a committee of the whole on the following morning.

The convention re-assembled at ten A.M., March 11th, and took up the resolutions which, were for several days under discussion, and in the debates which ensued, Mr. Gray, James A. Bayard, Benjamin T. Biggs, John R. Latimer, Martin W. Bates and others participated. The resolutions were defeated, and Messrs. Gray, Latimer, Rothwell and Wilson presented a remonstrance and withdrew from the convention. The remonstrance was as follows:

"The undersigned having, after serious and anxious reflection, arrived at the conclusion that they cannot consistently with their obligations to support and maintain the Constitution, proceed to alter and amend the same, and that in consequence of the determination of the majority of this body to act in this matter, it is their duty not to participate in such action, and to withdraw from any further attendance on its sittings, beg leave briefly and respectfully to state their reasons for the course they have adopted, and to ask that the same may be placed on the record of its proceedings.

"The undersigned believe that the Constitution is the written will of Sovereign Power; and that the legislative power acts under and in subordination thereto. The Constitution of Delaware provides the mode and manner of altering its will.

"The acts of the General Assembly passed at Dover, at the sittings of 1851 and 1852 as the undersigned fully believe, are clearly unauthorized; contrary to the positive requirements made in the Constitution for the purpose of altering and amending the same. The said acts are consequently null and void and the Delegates elected under their provisions have, therefore, no power to act.

"They further believe that no convention can be legally and constitutionally called, for the purpose of amending the Constitution of the State, without the authority of the people; and that this authority must and can only be exercised when a majority of the citizens entitled to vote for Representatives shall vote for a Convention under the rule prescribed by the Constitution itself.

"The Legislature, in direct and palpable violation of the rule thus prescribed, has undertaken to substitute a rule giving to a minority of the citizens of the State the power and authority which a majority only can and only ought to exercise.

"The undersigned, therefore, feel constrained to pursue the course which now to them appears right, which is to return to their homes and account to their constituents for their conduct."

An unsuccessful effort was made to have the convention adjourned until December. The sessions were continued, however, until April 30th, when, having adopted amendments to the Constitution, the convention adjourned finally. In the campaign the following fall the new Constitution, which was to be passed on by the people, was the leading issue. One of the principal grounds for a new Constitution having been the inequality of representation from New Castle County, and the revision not having afforded the relief claimed by the people of that section, Hon. James A. Bayard and other leading Democrats worked against the revision and secured its rejection at the polls. As he left the convention Mr. Bayard voiced the sentiments of his party in these terms:

"I view the question of representation as a question of personal right, affecting myself and my constituents—a right founded on the plainest and clearest principles of justice in a Republican country. As the Constitution now stands, I am aware that I am deprived of it; but I have the consolation of knowing that I am deprived of it under a pre-existing Constitution, not made with that intent, and therefore I may bear with the evil until I can, in some way, get it redressed.

Forbidding lotteries proposed March 2, 1855, Delaware laws, vol. xi., p. 316.

Abolishing life tenures and twelve years' term for judiciary February 24, 1857, Delaware laws, vol. xi., p. 434.

Precisely the same February 6, 1859, Delaware laws, vol. xi., p. 665.

Prohibiting lotteries, February 7, Delaware laws, vol. xii., p. 251.

Limited general incorporation, April 3, 1873, Delaware laws, vol. xiv., p. 319.

Ratified January 28, 1875, vol. xv., p. 3.

General incorporation, March 28, 1883, Delaware laws, vol. xvii., p. 3.

Representation in General Assembly, March 30, 1883, Delaware laws, vol. xvii., p. 4.

Judiciary, April 19, 1883, Delaware laws, vol. xvii., p. 7.

Of the above, only two succeeded—changing the general election day to conform to Presidential elections and providing for general incorporation acts.

But, were I to vote for the ratification of the Constitution, which stamps me and my constituents as political slaves—for that is what you make us when you refuse our request—I should consider myself degraded by the act. I will oppose your Constitution because you deny that equal justice to the people of New Castle County, which is all they ask; and if we are not your equals, we shall endeavor to see what our rights are in some other mode."

The new Constitution was voted on at the October election in 1853 and the result was:

Counties.	For.	Against.	Total.	Maj. Ag't.
New Castle.....	1245	1533	2638	348
Kent.....	758	1254	2012	496
Summer.....	713	1030	2643	1217
	2716	4777	7493	2061

From this time, at irregular intervals, the subject of changing the Constitution has been agitated; but not until 1882 was there any extended or organized effort made to secure the framing of a new instrument. In the campaign of 1882 the Republican party made it a direct campaign issue. A vessel, about the size of a surf-boat, was built at Wilmington, christened "New Constitution," mounted on wheels and hauled about through the State; meetings were advertised, and along the route speakers addressed the voters from the deck of the vessel. The Democratic party, to meet this question, promised, if successful, through the next Legislature, to amend the Constitution, reform the judiciary and give increased representation to New Castle County. The election was carried by the Democratic party, and the Hon. Charles C. Stockley was elected Governor. At Lewes a surf-boat named "Old Constitution" was fitted with masts and sails, a blue hen was put in the rigging and numerous mottoes were painted upon sails and streamers. This was mounted on wheels and drawn to Georgetown, where it created much enthusiasm.

Three bills were introduced at the succeeding session of the General Assembly, providing for a reorganization of the judiciary, giving four Representatives to Wilmington and four Senators to each county in the General Assembly, and one act relating to incorporations. The two former were passed April 19th and March 30th and approved by the Governor, who also recommended their adoption by the next General Assembly, the law requiring a subsequent legislative ratification by a two-thirds vote. However, a canvass of the new General Assembly demonstrating that the necessary votes could not be obtained, the measures were permitted to lapse. This occasioned renewed agitation and the subject was again made a political issue, but was fought altogether as a reform movement. All the papers in the State, with two exceptions, declared in favor of a new convention; and among those most prominent on the same side were Alfred P. Robinson, of Georgetown, and Hon. George H. Bates, of Wilmington. Out of several bills considered by the General Assembly of 1886 and 1887, a measure providing for taking the sense of the people at a special election to be held on the first Tuesday in November, 1887, passed both Houses, and was approved by Governor Biggs April 6, 1887. A very ac-

tive campaign ensued, in which party lines were ignored and political opponents united in securing the convention. As a result, the votes cast were not sufficient to carry the measure and it failed, the vote in detail being as follows:

NEW CASTLE COUNTY.				
Wilmington.			For.	Against.
1st Ward—1st District.....	1st District.....	93	1	
2d Ward—2d District.....	2d District.....	74	6	
3d Ward—3d District.....	3d District.....	40	1	
4th Ward—4th District.....	4th District.....	160	2	
5th Ward—5th District.....	5th District.....	77	3	
6th Ward—6th District.....	6th District.....	80	2	
7th Ward—7th District.....	7th District.....	112	5	
8th Ward—8th District.....	8th District.....	97	3	
9th Ward—9th District.....	9th District.....	127	5	
10th Ward—10th District.....	10th District.....	165	2	
11th Ward—11th District.....	11th District.....	268	6	
12th Ward—12th District.....	12th District.....	114	3	
13th Ward—13th District.....	13th District.....	186	1	
14th Ward—14th District.....	14th District.....	159	3	
15th Ward—15th District.....	15th District.....	141	5	
16th Ward—16th District.....	16th District.....	398	8	
17th Ward—17th District.....	17th District.....	305	6	
18th Ward—18th District.....	18th District.....	357	1	
19th Ward—19th District.....	19th District.....	124	4	
20th Ward—20th District.....	20th District.....	260	1	
21st Ward—21st District.....	21st District.....	68	3	
22d Ward—22d District.....	22d District.....	140	...	
23d Ward—23d District.....	23d District.....	132	6	
24th Ward—24th District.....	24th District.....	242	8	
25th Ward—25th District.....	25th District.....	238	3	
26th Ward—26th District.....	26th District.....	64	70	
27th Ward—27th District.....	27th District.....	116	2	
Total city.....		4376	163	
Majority.....		4213		
Hundreds:				
Brandywine, East.....		75	...	
Brandywine, West.....		216	1	
Christiana, North.....		351	...	
Christiana, West.....		120	...	
Christiana, South.....		176	1	
Mill Creek.....		461	...	
White Clay Creek, East.....		114	...	
White Clay Creek, West.....		215	...	
Pencader.....		256	2	
New Castle.....		745	6	
Red Lion, East.....		108	8	
Red Lion, West.....		68	3	
St. George's, East.....		147	12	
St. George's, West.....		257	15	
Appoquinimink.....		228	16	
Blackbird.....		130	...	
Total, county.....		3665	63	
For whole county.....		8041	2.6	
Majority.....		7815		

KENT COUNTY.				
Hundreds:			For.	Against.
Duck Creek.....		317	3	
Kenton.....		273	3	
Little Creek.....		80	20	
East Dover, 1st District.....		99	4	
East Dover, 2d District.....		371	3	
West Dover.....		85	...	
North Murderkill.....		289	3	
South Murderkill.....		291	2	
Mispillion.....		313	21	
Milford.....		311	...	
Total.....		2479	59	
Majority.....		2380		

SUMMER COUNTY.				
Hundreds:			For.	Against.
Cedar Creek.....		423	4	
Broadkill.....		222	55	
Broad Creek.....		208	...	
Little Creek.....		346	6	
Northwest Fork.....		311	12	
Seaford.....		334	22	
Nanticoke.....		230	4	
Dagoboro.....		369	4	
Gumboro.....		220	1	
Baltimore.....		317	...	

	For.	Against.
Georgetown.....	329	...
Lewes and Rehoboth.....	358	...
Indian River.....	302	41
Total.....	4156	149
Majority.....	4007	

RECAPITULATION.		
New Castle County	8041	223
Kent County	2439	59
Sussex County.....	4156	149
Total State.....	14636	431
Majority.....	14205	

Among the changes introduced by the new State Constitution of 1831 was one providing for biennial sessions of the Legislature to be held in November instead of October, and the appointment of Presidential electors by the people instead of by the Legislature. The National Republican State Convention was the first called to place a ticket in the field for the first election under the new Constitution. It assembled at Dover in August, and the following nominations were made: For Governor, Dr. A. Naudain; for Congress, J. J. Milligan; for electors, George Truitt and Dr. Henry F. Hall, of Sussex, and C. P. Comegys, of Kent. At the election in November, 1832, Major Bennett, the Jackson or administration candidate for Governor, was elected by a majority of fifty-seven votes, but Mr. Milligan, the Clay candidate for Congress and the Clay electors, were elected, the former by a majority of one hundred and twenty-one and the latter by one hundred and seventy-one. The State Senate was composed of seven "National Republicans" and two Jackson members, and the House of Representatives of fourteen National Republicans and seven Jackson men. The vote by counties was as follows:

COUNTIES.	GOVERNOR.		ELECTORS.		CONGRESSMEN.	
	Bennett.	Naudain.	Clay.	Jackson.	Milligan.	Huter.
New Castle.....	1751	1297	1335	1715	1344	1712
Kent.....	1033	1134	1167	1012	1148	1027
Sussex.....	1436	1735	1774	1378	1771	1403
	4220	4166	4276	4105	4263	4142

The attitude of South Carolina towards the Federal Government in consequence of the tariff legislation was communicated to Governor Hazzard, who laid the resolution before the Legislature accompanied by a message, which controverted the position of South Carolina as destructive "of every general law" which would be "henceforth subject to the whim, caprice or local interest of every State in the Union." He expressed "great satisfaction" at the proclamation of President Jackson, and assured the President "that inflexible integrity and undaunted firmness will always meet the support of a free and enlightened people." The Governor also expressed his satisfaction "that the manufactures of the United States are rapidly increasing and adapting themselves to the wants, habits and circumstances of society, and becoming indispensable to the support and maintenance of the people." The Legislature re-elected Arnold Naudain to the United States Senate, and responded to South Carolina by a series of resolutions,—denying that a "Convention of States" to amend the Consti-

tution, which South Carolina had requested, was the constitutional mode of amending the Constitution, but that Congress only could call a convention to amend the Constitution, and that "it was not expedient for Congress to call a convention for proposing amendments to the Constitution."

Henry Clay, who, with James A. Bayard, the elder, signed the treaty of peace at Ghent, which closed the War of 1812, visited Wilmington on several occasions. The first visit of which there is any record was in 1813, during Mr. Clay's Eastern journey. A meeting of his friends of Wilmington was held on the 11th of October, at which Hon. Arnold Naudain presided, and of which Alexander Macbeth was secretary, adopted most complimentary resolutions, expressing the gratitude which the country owed to him, and testifying their sentiments of respect and admiration, appointed a committee to tender him the respectful and heartfelt salutations and to invite the distinguished Whig leader to partake of a dinner at his convenience. The committee was composed of Arnold Naudain, W. Milligan, Dr. James W. Thomson, Thomas M. P. Brobson, James Canby, John Wales, John J. Rodney, Jabez M. Fisher, E. I. Du Pont, Edward W. Gilpin, Alexander Macbeth, Alexander S. Read, Thomas M. Larkin and Lea Pusey. Mr. Clay replied, returning his acknowledgments of the compliment and expressing his sense of gratitude to the people who thus honored him, and promising that on his return from the Eastern excursion he would have the pleasure of presenting his respects in person to his fellow-citizens of Wilmington, but declining a public dinner as "inconsistent with the rule which I have marked out for myself." Accordingly on the 27th of November Mr. Clay, on his return, arrived at Wilmington, and was received by a large concourse of citizens. He spent the evening and night at the residence of Mr. Milligan, the Representative in Congress, and after refreshments proceeded to the residence of Mr. Du Pont, and then to an elegant supper at Smith's Hotel, and the next morning proceeded on to Baltimore. Again in 1836 Mr. Clay visited Wilmington and made a brilliant speech in front of the old Indian Queen Hotel. He was the guest of Richard H. Bayard, who, the same year, had been elected to the United States Senate as a Whig, and then lived in the John Dickinson mansion, on the site of the Wilmington Institute.

Mr. Clay visited John M. Clayton August 12, 1847. He went to Philadelphia and from there to Cape May, and on August 24th again visited Mr. Clayton at his "Buena Vista" home, where an enthusiastic multitude from Wilmington and the surrounding country and from Dover and Smyrna waited upon him. He had just entered upon his seventieth year. In a brief speech he said, "If I live to be as old as Methuselah, I could not pay the debt of gratitude I owe to the people of Delaware." After the speech the people moved toward him to shake hands and he was soon surrounded by an immense throng. He then

stepped up to a fence, and standing against it said, "You can not come further than this; now come one, come all." A line was formed and, in order, thousands eagerly grasped his hand. After this reception he was the guest of Chancellor Johns. He passed through Wilmington, February 15, 1848, and was met at the railroad depot by thousands of friends and admirers, to whom he made a brief address.

The people of Delaware expressed their opposition to the removal of the public deposits from the United States Bank by a memorial to Congress signed by one thousand six hundred and fifty citizens of New Castle County, which Mr. Clayton presented on March 3, 1834, praying the restoration of the public deposit to the Bank of the United States, and the permanent establishment of a sound and uniform currency. This memorial called forth a counterblast from the "Jackson" party of New Castle, which was also laid before the Senate reciting the "views and opinions of the Democracy of New Castle County," and approving all the acts of the executive. This last memorial Mr. Naudain assailed in the Senate and denounced it as coming from men who but recently had avowed that "if they thought they had one drop of Democratic blood in their veins, they would have it out at the risk of their lives," and he added that "if this meeting had professed merely to represent the views and opinions of the *Jackson party of New Castle*, I should not have trespassed upon the time of the Senate. But when *such men* have professed to represent the views and opinions of the good old Democracy of New Castle, I feel that the duty I owe to that party with whom it was always my pride and pleasure to act, compelled me to break that silence I have hitherto imposed upon myself since I have had the honor to be a member of this body."

The Jackson party of the State nominated for Congress James A. Bayard in September, 1834. The election took place in November, and Mr. Milligan, Whig, was elected by 155 majority; and the Legislature stood, Senate, 6 Whigs and 3 Jackson; the House, 14 Whigs and 7 Jackson. Hon. John M. Clayton, by letter dated November 24, 1834, announced his purpose of not being again a candidate for the United States Senate, claiming that his opposition to the measures of the administration had been sustained by the people of his State.¹ The Legislature, remonstrating against the intimated purpose of Mr. Clayton to resign from the Senate, emphasized the respect and confidence of the State by re-electing him to the Senate for six years after March 3, 1835. Notwithstanding the compliment, Mr. Clayton resigned in January, 1836, and Thomas Clayton, chief justice of the Superior Court of Delaware, was appointed to fill the vacancy.²

¹ Richard A. Bayard, who had been elected to the State Senate in the fall of 1832 for four years, resigned on June 2, 1834, because he could not support General Jackson's administration.

² In November, 1836, James A. Bayard was appointed United States attorney for the district of Delaware, in the place of George Read, deceased.

Judge Thomas Clayton at first declined the appointment of United States Senator, but he was induced to withdraw his letter and accept the position. John M. Clayton was appointed and accepted the position of chief justice of Delaware in January, 1837.

Richard H. Bayard was elected, 17th June, 1836, to the United States Senate, in place of Arnold Naudain, resigned. The majority for the Harrison electors, at the election in the fall of 1836, was five hundred and eighty-three; and the Legislature then elected passed and forwarded to Mr. Bayard a preamble and resolutions, requesting the United States Senate to rescind the expunging resolutions of Mr. Benton. Mr. Bayard, in presenting the resolutions, said it would be impracticable, or at least improper, to obey these resolutions, and announced his purpose to persevere in the effort to restore the journal of the Senate to what he believes to be the expression of the public will all over the country.

The political opinions of the people of the State had been gradually undergoing change, and at the election in November, 1838, the Van Buren³ candidate for Congress, Mr. Robinson, was elected over Mr. Milligan, Whig, by a majority of twenty-three, and the Legislature was Democratic also, and upon assembling elected Thomas Jacobs (Adm.) Speaker of the Senate, and also John P. Brinckle (Adm.) Speaker of the House. Changes were also made in the judiciary of the State, Richard H. Bayard being appointed, by the Governor, chief justice of the State, to supply the vacancy caused by the resignation of Hon. John John M. Clayton; and the Hon. J. J. Milligan was appointed associate judge, to fill the office vacated by the death of the Hon. John R. Black. The Legislature adjourned without electing a successor to Richard H. Bayard in the United States Senate.

In 1840 the State was entirely free from debt and had \$19,222.34 in the treasury and the population was 78,167. The political canvass of that year opened as early as June 20th, when the Administration or Democratic party held its convention and nominated Warren Jefferson for Governor; Thomas Robinson, Jr., Representative to Congress; Thomas Jacobs, Nehemiah Clark and Christopher Vandegrift, Presidential electors. The Whig convention nominated for Governor, W. B. Cooper, of Sussex; for Congress, George B. Rodney and Benjamin Caulk; Peter F. Causey and Dr. H. F. Hall, Presidential electors. A very active canvass began and was continued throughout the State;⁴ the Legislature to be elected

³ Martin Van Buren spent two days in Wilmington in 1829 as the guest of Louis McLane. He was then Secretary of State in Andrew Jackson's Cabinet. Louis McLane, August 8, 1831, was appointed Secretary of the Treasury, and May 29, 1833, Secretary of State in the same Cabinet. Van Buren was present at a banquet given to McLane immediately before his departure for Europe as minister to England.

⁴ Daniel Webster addressed a Whig meeting in Wilmington on October 20, 1840, during this campaign. The meeting was held in a hollow, at what is now the northeast corner of Twelfth and Tatnall Streets. The stand from which he spoke was at the point of the lowest depression and was surrounded by benches in the form of an amphitheatre. It was decorated with wreaths, vases, festoons and pendant strings of flowers. On an arch above him in evergreen were his memorable words, "Liberty and Union now and forever, one and inseparable." Six thousand persons



J. P. Brown



J. P. Thompson

having a Governor and two United States Senators to elect. The result of the election was 5963 votes for Harrison, and 4872 for Van Buren, a majority of 1091 for Harrison. The Legislature elected Thomas Clayton and Richard H. Bayard, both Whigs, to represent the State in the United States Senate.

Cornelius P. Comegys (Governor of Delaware 1837 to 1841) was born in Kent County, Maryland, January 15, 1780. He was the son of Cornelius Comegys, who was a soldier of the Revolutionary War, and a lineal descendant of the first of the name who came to America, settling on the Chester River, within twenty years of the time (1632) of the grant of the province of Maryland made by James I. to George Calvert, Lord Baltimore.

Early in life, while employed in the counting-house of a Baltimore merchant, Mr. Comegys made a trip to the island of St. Bartholomew, W. I., as supercargo. After he became of age he removed to Delaware and married Ann, daughter of Benjamin Blakiston, of Duck Creek Hundred, Kent County. His wife died in about a year, leaving him a daughter, who survived the mother but a few days. He was next joined in wedlock to Ruhamah, the eldest daughter of John and Hannah Marim, near Dover, Kent County, Delaware. At the close of 1804 he went to Cherbourg, which is a few miles from Dover, and the family-seat of the Marims. Here for thirteen years he profitably farmed an estate of which himself and wife had become owners.

In the war with Great Britain he served in the State troops, becoming, eventually, a lieutenant-colonel. When peace was proclaimed, in 1815, he became an agent for the millers on the Brandywine to purchase grain, and while so employed he risked his means in a personal venture of wheat and suffered an unfortunate loss, from which he never pecuniarily entirely recovered. He now became engaged in mercantile business, and had an interest in vessels trading to Philadelphia. At this time he was also carrying on farming, working the land with some negroes he owned, together with hired labor. At this period he was elected a director of the Commercial Bank of Delaware, whose principal business was at Smyrna. In 1811 he was chosen a member of the House of Representatives of the State. Subsequently he was elected Speaker of that body. For four successive years he served as Speaker at every session. He was one of the committee to carry into effect the resolution of the Legislature presenting Captain Jacob Jones with a piece of silver plate. He was also upon the committee to carry out the resolutions of the Legislature in the case of Commodore McDonough, after the victory over the British on Lake Champlain. In January, 1818, he was elected cashier of the Far-

mers' Bank at Dover. This position he retained until 1829.

Mr. Comegys was an ardent politician, and when his party met a defeat by the election of General Jackson over John Quincy Adams, he returned to his farm at Cherbourg. He was at this time chosen one of the State directors of the Farmers' Bank, and at the next legislative session he was a member of the House. He held the office of State treasurer from 1820 to 1833. In 1832 his name was used in the convention for the nomination for Governor; but Dr. Arnold Naudain received the nomination, who, however, was defeated by Major Bennett, a Democrat.

Four years later Mr. Comegys was elected Governor of Delaware on the Whig ticket.

After his official life he carried on the business of farming. At length financial embarrassments closed around him, and he was compelled to surrender all his property to his creditors. He died at Dover, January 27, 1851, at seventy-one years of age.

Governor Comegys was a man of profuse hospitality and of a social disposition. Generous to a fault, he aided all who made demands on his charity. A family of eight children survived him, six of whom are still living, viz.:

Hon. Joseph P. Comegys, LL.D., chief justice of Delaware; Cornelius G. Comegys, M.D., Cincinnati, Ohio; Benjamin B. Comegys, president of the Philadelphia National Bank; John M. Comegys, M.D., St. Albans, Vt.; and two daughters,—Mary Elizabeth, widow of Dr. Benjamin F. Chatham, and Maria Comegys.

The message of Governor Comegys referred chiefly to local affairs, and particularly to the defective condition of common schools throughout the State, recommending the appointment of a general superintendent, and the modification of the law imposing the school-tax; the penal code was defective, as many of its punishments were severe beyond the modes and feelings of the age, and that the excessive vigor of the law defeated its own ends, through the necessary interposition of the pardoning power or the unwillingness of juries to convict. The Governor also called the attention of the Legislature to the French spoliation cases, saying that "this claim is preferred against the United States on the well-known Constitutional principle that private property should not be taken for public uses without just compensation," and urging that the favorable consideration of the claim be brought by the Legislature before Congress. The Legislature elected at its session in 1841, W. B. Cooper, Governor, who in his inaugural message called attention to the fact that the State had never known what a State debt is from any experience of its own; that she had collected but one small tax since the adoption of her amended Constitution and had a surplus of more than a half million dollars in her treasury.

The legislation of Congress in regard to banks, refusing to re-charter the banks in the District of

were present to hear him. When he closed his speech "the air was rent with the shouts of the mighty concourse." John M. Clayton, "Delaware's favorite son," spoke next. Dr. Arnold Naudain, United States Senator from 1839 to 1845, was president of the meeting. Webster dined at the Delaware House, the "Tippecanoe headquarters," then kept by Brooke T. Turner, an Englishman, and a noted Whig. In the evening he was the guest of John M. Clayton.

Columbia, called forth from the Legislature of the State resolutions which, on March 6, 1841, were presented to the United States Senate by Mr. Clayton, to the following effect: That the refusal of Congress to re-charter the banks of the District of Columbia was unwise and oppressive; that they are unwilling to believe, with the citizens of Washington and Georgetown, that their only chance for good government and prosperity rests in a retrocession of the territory to Maryland, and confidently hope that the next, if not the present, Congress will grant a redress of their grievances; that the people of the District of Columbia ought to be represented in Congress.

The State was this year placed in the Fourth Judicial District of the United States Courts.

The Legislature, in order to relieve the banks of the State, voluntarily suspended the provisions of the bank charters of the State requiring them to pay twelve per cent. interest for refusing to pay their notes in specie.

The surplus of the State this year was one million and a half of dollars.

The Governor appointed James Booth, Esq., of New Castle County, chief justice of the State, in lieu of the Hon. Richard H. Bayard, resigned; and in compliance with the requisitions of a law passed at the late session of the Legislature, the Governor appointed L. L. Lyons commissioner of wrecks, or wreck-master, for Sussex County.¹

In 1842 the demand for real estate continued very good throughout the State. "Elleslie," the estate of the late Archibald Hamilton, was sold to a gentleman from Philadelphia for \$10,500. That property is on the Delaware River, two and a half miles above Wilmington, and contained less than two hundred acres.

The auditor's account presented to the Legislature showed the amount in the State Treasury to be \$518,693.92, and the estimate for expenses for the next year was \$16,414, and the State revenue for the same time \$23,810.

The banks of the State resumed the payment of specie without any difficulty, and their ability and credit was found not to have been impaired by the legislative action. The *Wilmington Gazette*, remarking on this subject, said: "Without making pretensions to vast abilities and profound sagacity, the men who make our laws and protect the interests of the State have proved themselves gitted with a wisdom that has led them forth in a path of safety, economy and prosperity. For a State, in these times of depression and embarrassment, to be not only out of debt, but to have half a million dollars surplus, is something to boast of; and we do feel a pride when we consider the safe and unburdened condition of Delaware."

The political campaign of 1842 opened on July 5th, with the Whig Convention of the State at Dover, Dr. William Burton, of Kent County, presiding. George B. Rodney, then Representative in Congress, was re-

nominated for Congress, and a series of resolutions condemning the course of President Tyler, nominating Henry Clay for President, recommending Middleton Clayton, of Delaware, for Vice-President, and approving the distribution of the proceeds of the public lands, and other Whig measures. The Democrats nominated W. H. Jones for Congress. The contest was so well conducted that the result was only ascertained by the official count—Mr. Rodney receiving 5467 votes and Mr. Jones 5458—a majority of only 9.

The Legislature assembled on the 3d of January, 1843, and organized by the choice of Presley Spruance, President of the Senate, and William O. Redden, Speaker of the House. Governor William B. Cooper, in his message, congratulates the State that her finances are free from embarrassment, and the surplus remained undiminished, while every demand which had been made on the Treasury had been promptly discharged. The currency, though reduced, was perfectly sound; the credit remained unimpaired, and no imputation or suspicion of fraud or public dishonor rested on the fair fame of the Commonwealth; while every consideration conspired to prove that the people of the State, as far as their condition was affected by the action of the State Government, were still pre-eminently prosperous and happy.

During the year a memorial to Congress from the people of the State was prepared in favor of an issue of \$200,000,000 of government stock, which Mr. Bayard presented to the Senate on February 17th.

The Democratic party in the State, in 1844, declined sending delegates to the National Convention of the party in Baltimore, but William Thorp of Kent was nominated for Governor, and Edward Wootten of Sussex for Congress, who afterwards declined; and an electoral ticket was nominated, and the national administration of Mr. Van Buren indorsed.

The total valuation of property on the tax-list was \$25,324,718; the annual tax, \$70,092; scholars in public schools, 11,376; balance in treasury, \$516,132. The State was free of debt, and the population numbered 78,107. The election in the fall for President gave the Whig electoral ticket 287 majority and Stockton, Whig, was elected Governor over Thorp, Democrat, by 46. The Legislature was also carried by the Whigs, securing the election of a Whig to the United States Senate. There were at this time less than three thousand slaves in the State, and it was stated at an anti-slavery meeting in Wilmington that three-fourths of the people were ready to sign petitions for immediate emancipation, without compensation.

The Hon. John M. Clayton was re-elected to the United States Senate, in place of Richard H. Bayard, by a vote of nineteen to ten for Martin W. Bates. Joint resolutions were passed by the Legislature of 1845 against the annexation of Texas, and presented to the Senate by Mr. Clayton at the second session of the Twenty-eighth Congress.

¹ CHARLES DICKENS, the distinguished novelist, when on his visit to America, stopped for a few hours in Wilmington on March 11, 1841.

The *Pennsylvanian* newspaper describes the condition of the State in 1845 as most excellent in every respect, that rapid and very great improvement had taken place in every section, and that "the use of lime and manure is what has mostly effected the beneficial change in the agricultural appearance of those counties. Immense quantities of this fertilizer are imported from New York and Pennsylvania as well as burnt in the State. From Delaware City to Cantwell's Bridge, and South through the whole country is in a state of high cultivation. In the vicinity of Smyrna, and back of it for many miles, reaching into the forests along the roads towards Dover and Leipsic, fine fields of clover and heavy corn have taken the place of stunted wild grass and corn producing little else than stubbins. Around Leipsic, on Raymond's and Little Creeks, the same change has been effected, as well as around Dover and Camden. Occasionally is seen a green spot rising toward Milford, Milton or Lewistown. But as yet the spirit of improvement has not extended into Sussex. But in Kent it is everywhere manifested. The crop of wheat at the late harvest throughout the State was large and of good quality, and perhaps it never yielded so abundant a crop of corn as the present. The value of land has risen in Kent and New Castle very considerably, and we are rather surprised to hear farmers selling tracts at fifty dollars an acre and upwards, that could have been bought some years ago for ten. We missed from many places forests of oak and hickory and found corn in their place. We incline to think such changes will not only be productive in a pecuniary point of view, but add to its salubrity. There is not much difference in the appearance of the villages compared with the period of which we speak. Smyrna has improved; Dover has grown; Milford, Milton, Lewistown, little or none; Cantwell's Bridge and Leipsic, however, have grown materially in population and activity. On the whole, the ardent spirit of agricultural improvement was pleasing to us, and the good work has already strengthened the hand of our gallant little neighbor. Long may she prosper and be proud of her agricultural, mechanical and commercial prosperity."

The present greatest production of the State—the peach crop—was, in 1845, just beginning to develop the capacity of the State in that direction. Major Reybold sent in that year, in one day, 5420 baskets of peaches, and up to September 1st had sent off 15,000 baskets, while the family had to that date shipped over 50,000 baskets.

In 1846 the "Loco" or Democratic party nominated for Governor, William Thorp of Kent, and John I. Dilworth of New Castle, for Congress.

The Whigs nominated Peter F. Causey of Kent, for Governor. Mr. Thorp was elected Governor, and Mr. Houston to Congress, the former by one hundred and seventy-five majority and the latter by ninety-eight. Thus each party was triumphant in a State

election, but in the Legislature the Whigs had a majority, and secured the election of a United States Senator in the place of Thomas Clayton, whose term expired March 3, 1847.

The Secretary of War, on May 10, 1846, by direction of the President, called for volunteers to prosecute the war against Mexico, of which three hundred and ninety was the number required from Delaware. At that date the revenue cutter "Forward," Captain Henry B. Nones, commander, with Lieutenant John McGowan, Charles W. Bennett, Richard S. Jones, Pilot Joseph Davis and forty-five seamen, shipped principally in the State, lay in the harbor of Wilmington. On May 21st sealed orders were received to proceed at once to the Gulf of Mexico, which were promptly complied with, and the "Forward" arrived at the seat of war in time to participate in the attack on Alvarado, and in the capture of Te-



CAPTAIN HENRY B. NONES.

basco. Captain Nones' gallantry and seamanship received the commendation of Commodore Perry, who wrote: "I am gratified in bearing witness to the valuable services of the Revenue Schooner 'Forward' in command of Captain Nones, and the skill and gallantry of his officers and men." Remaining on duty in the Gulf during the year, Captain Nones returned in the "Forward" to Wilmington, arriving on May 22, 1847, after the absence of exactly one year. The vessel showed many marks and hard knocks received in the engagements in which she had participated. Her commander was welcomed home by many friends. The "Forward" was dismantled and repaired at the old wharf, and completed August 3d of the same year. John Land, Samuel Wade and Andrew Fulmede, now (1887) residing in Wilmington, were with Captain Nones on the "Forward."¹

¹ Henry B. Nones, captain United States Revenue Marine, the son of a soldier of the American Revolution, was born in Philadelphia, Pa., in 1801. He served in the Florida War, 1835, and commanded the cutter

A recruiting office for the regular army was opened at the Swan Hotel, now the Gibson House, on Fourth Street, January 26, 1847. Captain Chaytor the same day began to raise a military company in Wilmington. After having recruited fifteen men in the city, of whom Joseph S. Wheeler, now (1887) a merchant tailor in the city, was one, they were transferred to Company E, of the Eleventh Regiment of United States Infantry, then in Philadelphia. This company was commanded by Captain Pemberton Wardell.

The company, being now full, on the 8th of April started for Mexico. They went by cars to Johnstown, Pennsylvania (then the limit of the railroad line), by canal to Pittsburgh, by steamboat down the Ohio and Mississippi Rivers, and on a sailing vessel to the Island of Brazos. From thence they proceeded to Point Isabel and to the mouth of the Rio Grande, and there took a steamer for Camp Palo Alto, where they joined the Eleventh Regiment, under command of Colonel Ramsay.

In the mean time Captain Chaytor, who was a physician by profession, continued recruiting men for the service, and on May 13, 1847, had a company of eighty officers and men. They received orders to at once proceed to Vera Cruz. George W. Chaytor was captain; Joseph S. Hedges, first lieutenant; Columbus P. Evans, second lieutenant. They marched from Wilmington to New Castle, and from there were transported by the Union Steamboat Line to Fort McHenry, at Baltimore, and from thence conveyed to Vera Cruz by a steamship in waiting for them. One month later they landed in Mexico. Captain Chaytor immediately returned on a "sick leave," and never went back to his company. Though he did not resign, the command of the company devolved upon Lieutenant Hedges first, and afterward upon Lieut. Evans. This company was also assigned to the

Eleventh Regiment of United States Infantry, and with that command participated in the numerous engagements and triumphant march of Gen. Scott's army from Vera Cruz to the City of Mexico. This was the only complete company from the State of Delaware that went to the Mexican War. The bravery of its men, in common with the entire Eleventh Regiment, was never questioned. Col. Graham, their heroic and much-loved commander, fell dead, pierced by twelve balls in the battle of Molino del Rey, in 1847. Many of the Wilmington boys became sick soon after their arrival in Mexico; some of them died in the service, while numbers of them were killed or wounded in battle. Lieutenant Joseph S. Hedges, after leading his company in the battles of Contreras, Molino del Rey and Cherubusco, fell sick of a fever, and returned home December 19, 1847. There were then thirty-five men in his company.

After the treaty of peace was signed the Eleventh Regiment was sent to Fort Hamilton, New York, where the officers and men were mustered out of service.

"A spontaneous meeting of citizens" was held at De Haven's Indian King Hotel, between Front and Second Streets, on Market, July 29, 1848, when it was decided to give the returning soldiers from the city an enthusiastic welcome. The reception committee was composed of twenty-eight citizens, with Mayor Alexander Porter chairman and William R. Sellars secretary. "The gallant men returned crowned with laurels from the field of glory" August 22, 1848, and they were tendered a banquet in the City Hall, and were received in a speech on behalf of citizens by Hon. John Wales. They were, Lieutenant Columbus P. Evans, Sergeants Benjamin F. Handy and Abijah Jackson and J. L. Patterson; Privates, Joseph S. Wheeler, Samuel Paul, John Bailey, William Hassam, Levin Stevens, Matthew Gosling, Paul H. Carter, Isaac Hill, Samuel Taylor, Alexander Henderson, George McMullen and John Crew of Chaytor's Company F, Eleventh Regiment. A few others returned a day or two later, but the entire number that came back was but a handful of those who went sixteen months before. Of those named two survive—Joseph S. Wheeler, of Wilmington, who did valiant service as an officer in the Civil War, and Benjamin F. Handy, now (1887) keeper of the lighthouse at Fort Mifflin. Samuel Jacobs, a member of the company from Sussex County, died at Lerma, Mexico, just as his comrades were leaving for home. Lieutenant Evans afterward became mayor of Wilmington.

Henry Rumor, of Brandywine, who enlisted at Wilmington in the regular army, was mortally wounded in the battle of Molino del Rey. Corporal John McMahon, an employee at Gareshe's powder-mills, William Russell, Foster Carson, James Dilke and John Schmidt were wounded in the engagement before the city of Mexico. Lieutenant James Tilton, formerly of Wilmington, but who enlisted in an Indiana regiment, was wounded at the storming of Chapultepec.

"Forward," as we have stated, in the Mexican War, being attached to Commodore Conner's squadron. He participated in the operations of the navy and gained particular distinction in the action at Tobasco. He was also actively engaged in the Civil War. He died at Wilmington, August 25, 1868.

Jefferson Henri Nones, son of Captain Nones, was born in Philadelphia; served in the Mexican War; was wounded at Puebla, Mexico; appointed a second lieutenant in the Second Regiment of United States Artillery in 1847; resigned his commission in 1856. Has since been engaged in journalism.

Washington H. Nones, son of Captain Nones, was born in Philadelphia; entered the United States Navy as third assistant engineer; died at Pensacola, Florida, September 9, 1853, of yellow fever.

John M. Nones, son of Captain Nones, made a voyage to China, and on his return was appointed a third lieutenant in the United States Revenue Marine; died, suddenly, on the 1st of September, 1859, in the twenty-fourth year of his age, on board the cutter "Forward," lying off Wilmington.

Albert Smith Nones, son of Captain Nones, was born in Eastport, Maine, while his father was commander on that station. When two years old his father was ordered to Wilmington, where the family have since resided. He was educated at St. Mary's College, and when the war broke out he enlisted in the First Delaware Cavalry. In January, 1865, he was commissioned first lieutenant in the First Regiment, Delaware Infantry, and assigned as an aide-de-camp on the staff of General Thomas Smyth, and was beside that officer when he was killed at Farmville, Va. Having served till the close of the war in 1865, he was commissioned a second lieutenant in the Eighth Regiment, United States Infantry. In 1867 he resigned from the army and entered into civil pursuits. He was an ardent and active member of the Grand Army of the Republic, and an aide on the commander-in-chief's staff at the time of his decease. He died at Wilmington April 24, 1887, after a brief illness, and was buried with military honors.

John Koontz was killed while standing between Lieutenant Evans and Sergeant Jackson, at Cherubusco; Samuel S. Thompson was wounded by the same ball.

George Windle, Thomas Hughes and John File, natives of Wilmington, served under General Taylor in a regiment of "Louisiana Tigers," whose motto was: "Do or die."

Sergeant Benjamin S. Hagany, a brave young Wilmingtonian, was killed in the battle of Buena Vista. He had left his native place some years before the Mexican War opened and enlisted in a Mississippi regiment under the command of Jefferson Davis. He was a son of John Hagany, a prominent local minister in Asbury Church. Two days before the battle he wrote to his brother in Wilmington, predicting that a battle would soon take place and that he would probably be among the slain. He bequeathed to his relatives his effects before entering battle.

John L. Donaldson, a native of Wilmington, enlisted in Louisiana and served under General Taylor in all the battles of his memorable campaign. He returned to his home July 9, 1847, and was welcomed by his former associates.

At a public meeting held in the City Hall, at Wilmington, April 12, 1847, Dr. James W. Thomson was president and J. W. Duncan, secretary. Congratulatory resolutions were adopted in recognition of the brilliant victories of General Taylor at Buena Vista and General Scott at Vera Cruz. On April 15th there was a grand demonstration in the city in honor of those victories. One hundred guns were fired at corner of Fourth and Washington Streets by Artillery Company A. There was a parade of local military organizations in the afternoon. In the evening the words "Honor" and "Fame" were reflected upon canvas in front of the City Hall and there was a fine display of fireworks. The streets were brilliantly illuminated.

Midshipman Thomas S. Shubrick was killed at the siege of Vera Cruz by a ball from the enemy while poisoning one of the guns of a battery to fire. He was about twenty-two years old. Six weeks before his death he was in Wilmington. His remains were brought home May 12, 1847, and received by the mayor, president of City Council and a committee of citizens, and by them attended to St. Peter's Catholic Church. The funeral ceremonies took place the next day, and thousands of citizens formed the procession, which moved to the family graveyard of the Du Ponts, on the Brandywine, where the remains were interred.

In the siege of Vera Cruz Midshipman Allen McLane, a descendant of his namesake of Revolutionary fame, performed many chivalrous deeds.

Lieutenant Robert C. Rogers was taken prisoner in the same engagement. Lieutenant George McLane was wounded at Cerro Gordo, and afterwards showed great bravery in the engagement before the city of Mexico.

Samuel E. Chambers, known in Taylor's army as

the "Delaware hero," showed undaunted bravery at Monterey. He first mounted the enemy's breastworks, obtained a foot-hold on the top of an eighteen-pounder and deliberately fired with great effect until the piece was captured by General Worth. Later he was wounded at the battle of Saltillo, and more seriously wounded at Resaca de la Palma. He stood by Henry Clay's son when he was killed in battle. He brought home to Wilmington, as a trophy, a lance which he captured from Don Mantero, an officer of the Mexican lancers, who was soon afterward killed. The *Philadelphia Ledger's* New Orleans correspondent gives further details of the gallantry and dash of Samuel E. Chambers. He joined the army at Corpus Christi and went with Captain Walker's Texas Rangers to the Rio Grande. On the 1st of May, when Walker made the desperate attempt to cut his way through to Taylor's camp for the purpose of opening communication, Chambers was one of the few men who went with him. In the encounter with the Mexicans they lost all but fifty men; Chambers had a horse shot under him. He captured another from a Mexican, which shared the same fate as the first, and was the last man to return to camp. Chambers did not admire the discretion of Captain Walker as much as he did his courage, and applied to Captain May for a place in his company in the expected battles of the 8th and 9th. The application was granted, and Chambers was the second man that crossed the Mexican battery in May's charge. He was found, after the battle, lying under his horse, by the side of one of the Mexican pieces, with his shoulder dislocated and much bruised, and entirely insensible. He was removed from the field, and has since recovered from his injuries. The correspondent adds that his comrades gave him the name of the "Hero of Delaware." Some of those who observed his conduct during the battle say he fought as if he intended to put to flight the whole Mexican army. With his sabre in one hand, he assaulted the men in charge of the battery, and with the other he discharged his pistols in their faces. Three bayonet wounds through the body which he received showed how desperate the contest was and how gallantly he stood his ground.

The father of the "Hero of Delaware" was Isaac Chambers, who resided in the State, though sometimes living in Philadelphia.

Lieutenant Robert C. Rogers, "whose career in the Mexican War teemed with adventures equaled only in the pages of romance," arrived in Wilmington Christmas day, 1847, from the "seat of war." He was most enthusiastically received by his friends in Wilmington and New Castle.

In November, 1846, while on board the "Somers," he assisted in destroying the Mexican barque "Creole," near the harbor of Vera Cruz. In the mean time his own vessel was wrecked, and he lost all his effects. Soon afterward he was captured while trying to save a brother officer. He was taken to Vera Cruz and condemned to death as a spy by a civil tribunal,

with no evidence to prove it. He was first imprisoned in Vera Cruz for three months, expecting that every day might be his last. When General Scott invested Vera Cruz he was marched on foot fifty miles inland and placed in a gloomy cell in the fortress at Perote. When General Scott began his march to the city of Mexico, he was moved to Puebla, where on one occasion he was taken out and stoned by a rabble of the enemy.

The foreign residents of the city then obtained an order to have him sent to the city of Mexico, where he was kept several weeks in rags and wretchedness. Three times he was taken from prison to be shot, once in front of General Santa Anna, whom he told that a thousand Mexican prisoners would be killed if they sacrificed his life so unjustly. By this means he was spared. Finally, during the excitement occasioned by the approach of the American army to the city, he escaped from prison disguised as a Mexican soldier, and joined the American army. At the storming of Chapultepec he was one of the seven men who first mounted the walls of the fortress. He was of great service to General Scott in the engagement before the city of Mexico by informing him of the position of the enemy and of the environments of the city.

He was appointed a first lieutenant for his bravery. The State Legislature of Delaware voted him a hundred-dollar sword "for service to the commanding general at the storming of Chapultepec and at the capitulation of Mexico." Soon after the close of the war, as one of the "forty-niners," he went to California and became there a prominent citizen. He is now (1887) in England.

Captain David H. Porter was born in New Castle County, February 19, 1805, and was killed in action February 10, 1848. He was lieutenant in the American navy and afterwards a captain in the Mexican navy. On the day of his death he was commanding a Mexican vessel, and after defeating two Spanish ships of the same class, was engaged by a third enemy of a superior character and surrendered for want of ammunition. He was killed while replacing his colors, which had been carried away by the enemy's guns.

General John Lane, U. S. A., a distinguished army officer, died in Wilmington, February 19, 1869. He was the son of Col. Robert Lane, and began his military career as lieutenant of infantry, May 25, 1813. On March 30, 1814, he was wounded in the attack on La Cole Mill, and the same year served as aid-de-camp to General Smith. November 1, 1823, he was made a captain, and November 21, 1836, rendered distinguished service at the battle of Wahoo Swamp. On October 13, 1845, he was promoted major of the Fourth Artillery, and commanded his regiment in Mexico two years later, where, on April 18, 1847, he was breveted lieutenant-colonel for bravery at the battle of Cerro Gordo, and, August 20, 1847, was breveted colonel for his services at the battle of

Contreras. On Aug. 3, 1852, he was promoted lieutenant-colonel First Artillery, and colonel Second Artillery July 23, 1851. General Lane was retired November 1, 1861, and was breveted brigadier-general March 13, 1865, for long and faithful services in the army.

Lieutenant James Tilton, of the Baltimore Voltigeurs, wounded in the storming of Chapultepec, was a native of Wilmington, but resided for several years before the war in Indiana. He visited Wilmington in May, 1847, six months before, and took away several recruits. The Voltigeur Regiment was in Pillow's division.

Lieut. Jefferson H. Nones, son of Capt. Henry B. Nones, on September 8, 1847, was detailed near Puebla, to the command of twenty-nine men, to effect a recovery of mules stolen by Mexican guerrilleros. He and his squad were surrounded by Mexican lancers, who killed ten of the Americans and took four prisoners. The rest, under the command of Lieutenant Nones, bravely defended themselves. He was severely wounded by a lance, but recovered at Jalapa. He was second-lieutenant in the Second United States Artillery, and for bravery at the siege of Puebla, on January 8, 1848, he was promoted to first lieutenant. After the war he was sent to Governor's Island, N. Y.

On February 20, 1849, the General Assembly appropriated one hundred dollars for a sword with suitable inscription for Brevet-Captain C. P. Evans, for service in Mexico.

The gallantry displayed on the field of battle in Mexico by the soldiers of the State did not reconcile the people to the justness of the war. Mr. Clayton presenting a memorial from citizens praying the Congress to terminate the war, explained the opposition to the war, and voiced the sentiment of the people against its prosecution. He said:

"During the debate on the Oregon question, as it is commonly called, in 1846, and some time, as I think, in the month of February of that year, I learned from sources to which it is not necessary now to advert, but on which I felt that I could rely, that our government had given orders to Gen. Taylor to break up encampment at Corpus Christi, and march on to the Rio Grande. The instant I heard that, and was satisfied of its truth—the public at the time having no means of knowing the fact—I was alarmed at the apprehension of a war with Mexico: and it is true as the honorable Senator from South Carolina has said, that I did meet him here in the Senate Chamber, and, in the course of a confidential private conversation, I did give him the information I then possessed. I told him, Sir, that I believed, unless some speedy action was taken either by himself or some other distinguished gentleman who could arrest the downward tendency of things arising from that order, we should be plunged into a war before we could possibly save ourselves. At that time, all men who were acquainted with passing events and the position of our affairs, were alike anxious to avoid a war with England, if it could be avoided consistently with the honor and interest of our country. All our efforts were devoted to the consideration of the best means by which we could, in the exercise of all prudence and judgment, which God has given us, avert from our country so great a calamity as a war with England upon the question of boundary. It was under these circumstances that I received the information and communicated it to the honorable Senator from South Carolina. His first exclamation was, 'It cannot be so! It is impossible!' precisely as he has related it in the course of this debate. I assured him it was beyond all doubt. 'Then,' said he, when I urged that some measure be taken, 'what can be done?' I, as a Whig, could not move in the matter; and I urged that unless the honorable Senator from South Carolina and his friends, or some other strong division of the gentlemen on the other side, would move in the matter, we on the Whig side would be utterly powerless. The honorable gentleman was, at that time, as he has very properly stated, devoted to the same great object which I confess absorbed my own mind and the minds of those around me—the prevention of a war with England; and he declined to

move, lest his usefulness in that great question should be in any degree contracted. In the course of a short time—

"Mr. Calhoun.—'The first conversation was in January, when you announced the fact; and the second conversation was in February.'

"Mr. Clayton.—'Yes, the Senator is right. Thus, Mr. President, I felt exonerated from all responsibility in the matter.' . . . On the 24th of April, and between the hours of 12 and 1 o'clock that day, I was talking with my friend from Kentucky (Mr. Morehead) and I said I had no doubt that we were then at war with Mexico, and I added, 'I believe we have had a fight.' Sportively we laid a small wager on the matter, and it turned out afterwards, for I made a minute of it, that I won the bet by about four hours, for Thompson's dragoons were cut up about four o'clock on the morning of the same day. Well, these events recalled and impressed upon my mind this great fact: that, while the houses of Congress remained in ignorance, and those who knew could not move, the President of the United States was ordering the army of the United States upon the Rio Grande, and taking a step of which the inevitable consequences proved to be war. . . . At the time war was declared, I denounced it as the act of the President of the United States, but I avowed myself, then, and I have ever since avowed myself ready to vote supplies for the war. I believe that the war was brought on by this thing of marching the army, without any necessity, from Corpus Christi to the Rio Grande; done, too, while Congress was in session, without one word having been communicated as to the intention of the President of the United States, either to the Senate or the House, or to any committee of either House of Congress, or, as far as I have been able to judge, to any member of either House of Congress. Under these circumstances, Mr. President, the responsibility of the war will probably rest on him who ought to bear it."

It was in February, 1846, that John B. Gough lectured for the first time on temperance in the Hanover Street Church, Wilmington; he returned in December of the same year and lectured again.

The Legislature assembled on the 5th of January and elected Dr. William W. Morris Speaker of the Senate; John M. Patterson, clerk; John Ellegood, sergeant-at-arms; and Lewis Thompson, Speaker of the House; N. B. Smithers, clerk; and Captain S. Murphy, sergeant-at-arms. All the officers were Whigs. The election of Senator resulted in the election of Presley Spruance by sixteen votes over Martin W. Bates, who received fourteen votes. Thomas Clayton declined re-election. On the 19th of February the House of Representatives of the State passed a bill for the gradual emancipation of slaves.¹

A tornado passed over Wilmington on Friday afternoon, June 5, 1846. The day was warm and beautiful, but towards evening clouds appeared in the west and within half an hour a violent storm burst upon the city with terrific fury. Trees in large numbers were blown down, awnings were torn from houses, many roofs removed and a number of houses blown down. It was the universal opinion of all the oldest inhabitants that the city was never before visited by such a storm. The range of it was two miles in width and that part of the city below Seventh Street suffered the greatest injury. The large new covered shed of Betts, Harlan & Hollingsworth's ship-yards was reduced to a perfect wreck. Twenty men were at work on a new iron steamer in the building; in attempting to escape, two of them were crushed to death by the falling building. The ship-house of Messrs. Thatcher was also entirely destroyed. The workmen all escaped unhurt except two who were

¹ Henry Swayne, of Centreville, New Castle County, introduced a bill in the General Assembly February 19, 1847, for the abolition of slavery, but it failed in the Senate by the vote of Speaker Morris. Mr. Swayne was also author of the resolution adopted by the Assembly the same month, committing the State against the introduction of slavery into the Territories.

wounded. Asbury Church, the building of the Colored Odd Fellows on Fifth Street, between Orange and Shipley Streets, and many dwellings were unroofed. The brig "John M. Clayton," the schooner "Gen. Jackson," the steamboat "W. Whilldin" and other smaller vessels were capsized. During the same month violent storms visited other places.²

On June 23, 1847, James K. Polk, President of the United States, arrived in Wilmington on a special train on a trip northward. He was met at the railway station by a reception committee of citizens, the City Council, composed of Dr. Henry F. Askew, Spencer D. Eves, John Rice, James Hanly and William F. O'Daniel.

The President, his Attorney-General, Nathan Clifford, of Maine, mayor of Wilmington, and the president of the City Council rode in an open barouche up French Street to the Brandywine and returned down Market Street to the City Hall, followed by a number of carriages containing citizens. The President entered City Hall and was greeted by an address from Colonel S. B. Davis, to which he responded briefly. After dinner he left in the steamer "Washington" for Philadelphia, accompanied by the following gentlemen of Wilmington: Alexander Porter, Henry Hicks (collector of the port), William R. Sellers, Edward G. Bradford, William P. Chandler, Charles Gordon, John Wales, John Connell, William Campbell, William G. Whitely, Jeremiah W. Duncan and James A. Bayard.

The President rode from Baltimore to Wilmington in an elegant car which was made by Bush & Lobdell, and this was its first trip. It was forty-eight feet long, eight and a half feet wide, with seating capacity of forty-six persons.

Lewis Cass, in 1848, as the Democratic candidate for President of the United States against Zachary Taylor, visited Wilmington. He was accompanied by United States Senators Benton, Allen, Houston, Hannegan and Foote. They arrived from Washington at 1.30 p. m., were escorted to City Hall, where James A. Bayard received them with an eloquent speech. Fifteen hundred people crowded into the hall. General Cass responded to the address of welcome. He mentioned in his speech that just fifty years before he had been a teacher of a school in Wilmington. A few of his pupils were in the audience. He was then sixty-eight years old. Short speeches were made by all the distinguished men who accompanied him. In the evening the party, escorted by a delegation under the lead of Vice-President George M. Dallas, proceeded to Philadelphia.

² The Philadelphia *Keystone*, June 12, 1846, ignorantly says: "It is now ascertained beyond a doubt that the telegraphic wire now in operation between Philadelphia, New York, Wilmington and Baltimore is the cause of the heavy and repeated rains we have had ever since they were erected. The electric fluid is attracted by their galvanic power and that sympathy which exists between gases, added to the wonderful and mysterious operation of nature, produce this wonderful phenomena, which we leave for the philosopher to explain more fully and scientifically."

Abraham Lincoln, while a member of Congress from Illinois, in 1848 during the political campaign which resulted in the election of President Taylor, made a speech from the balcony of the Athenæum, which stood at the east end of Fourth Street Market-House, Wilmington. Very little is recorded or remembered of what he said, except that it was one of his characteristic speeches which made him famous as a campaign orator.

His remains were conveyed through the city in a special train from Washington to Philadelphia, Saturday evening, April 22, 1865. Hundreds of persons from Wilmington went to Philadelphia the next day to view the remains as they lay in State at Independence Hall.

The long-standing controversy between the United States and the States of Delaware and New Jersey, for the ownership of the Pea Patch Island, in the Delaware River, was submitted to the sole arbitration of the Hon. John Sergeant, a distinguished lawyer of the Philadelphia bar, before whom the merits and law of the case were argued at great length by James A. Bayard and John M. Clayton, on the part of the United States, Messrs. George M. Bibb and John H. Eaton on the part of New Jersey. Mr. Sergeant delivered his award on the 15th of January, 1848, in favor of the United States. The boundary line between New Jersey and Delaware, as determined in this award, starts from the highest part of the Delaware where it touches New Jersey, down to within twelve miles of New Castle, the middle of the river being the west boundary of New Jersey. From that point, south for the next twenty-four miles, the State of Delaware runs entirely across the river to low-water marsh on the Jersey shore. After that, the middle line of the river (or bay, as it soon becomes) is again the boundary and so continues till its termination in the Atlantic Ocean.

The largest public meeting that, perhaps, was ever held in the State, assembled in Wilmington on January 21, 1848, of the friends and supporters of General Taylor. General N. Young presided, and resolutions were adopted recommending General Taylor for the President of the United States as the people's candidate. Meetings throughout the State were advised to be called. The meeting was addressed by J. Wales of Wilmington and P. K. Smith of Philadelphia.

Soon after the early and successful battles in the Mexican War and before the Presidential question had been much agitated, the name of General Taylor began to be mentioned in connection with the Presidency of 1848. The Whig National Convention met in Philadelphia on June 7th, and he was nominated on the 9th, John M. Clayton of Delaware receiving one vote. Messrs. Cass and Butler were the Democratic nominees. At the fall election P. Reybold, Samuel Cotts and G. H. Wright, the Whig electors, carried the State, also the Whig Representative in Congress, and elected a majority of that party in the

Legislature. In 1850 a Temperance party was organized in the State, which nominated Thomas Lockwood of Frederica, Kent County, for Governor, and Dr. Waite of New Castle for Congress. A number of the Whigs supported this ticket, which resulted in the election of Williams H. Ross, the Democratic nominee for Governor, by a small majority; Mr. Riddle for Congress and the rest of the Democratic ticket. The Democrats had now for the first time in many years entire control of the State Government. Hon. John M. Clayton entered President Taylor's Cabinet March 7, 1849, but upon the death of the President, July 9, 1850, and the accession of Millard Fillmore,¹ he was succeeded on July 20, 1850, by Daniel Webster. As soon as Mr. Clayton retired from President Taylor's Cabinet he returned to Delaware and immediately assumed the leadership of his party, which was now on the wane. The Legislature had passed a law for the convening of a convention to amend the Constitution of the State. This was not as was alleged in accordance with the provision contained in the Constitution of 1851, and as Mr. Clayton was bitterly opposed to the calling of a convention, he fought the campaign of 1852 on that issue. The Whigs carried the House of Representatives by a majority of three, but as the Democrats had six members of the Senate who held over, they still had a majority of one on joint ballot.

The Whigs nominated Mr. Clayton for United States Senator, but the Democrats refused for several weeks to go into joint ballot. In the mean time a violent attack was made upon the honor of Mr. Clayton in the United States Senate by Messrs. Stephen A. Douglas, Lewis Cass and Mason, of Virginia, charging him with duplicity in the Clayton-Bulwer treaty negotiations. As soon as John Sorden, a

¹ Millard Fillmore, the thirteenth President of the United States, and his entire Cabinet, on their way to New York, stopped at Wilmington for one hour on Monday, May 12, 1851. Mayor Columbus P. Evans, the City Council and a committee of citizens went to Elkton in a special car to meet the distinguished party. At Elkton they were received in a brief speech by Hon. John Wales, president of the citizens' committee, and at one o'clock the train arrived in Wilmington. A procession was formed which moved to City Hall, where the mayor delivered an address of welcome and the President responded as follows:

"Mr. Mayor,—Permit me, sir, to return you my most cordial and heartfelt thanks for this generous reception, and could I for a moment suppose that it was to me personally I should be overwhelmed. It is but a tribute from the authorities and citizens of Delaware to the government under which we live, and an evidence of her devotion to the glorious Union under which we have so long prospered. You may truly that Delaware set her first seal to the national constitution, and when I look around me and see the intelligence of this noble State here assembled I can well believe that she will be the last to disgrace it. Other States may excel in population, but none can surpass you in patriotism. I must again reiterate my warmest thanks for the generous reception, more on behalf of my associates than myself."

Hon. John F. Crittenden also made a speech. A delegation from Philadelphia, headed by Mayor Gilpin of that city, a native of Wilmington, arrived to meet the President in the morning boat, and were entertained at Foster's Indian Queen Hotel. At two o'clock the President and the entire party left on the steamboat "Roger Williams" for Philadelphia. As they passed to the boat the revenue cutter "Forward" fired a national salute. A rich banquet, prepared for the occasion, was partaken of on the way up the Delaware. The members of President Fillmore's Cabinet who accompanied him were Daniel Webster, Secretary of State; Thomas Corwin, Secretary of the Treasury; John P. Kennedy, Secretary of the Navy; Thomas Ewing, Secretary of the Interior; John J. Crittenden, Attorney-General. Daniel Webster in the evening made a great speech in front of the United States Hotel in Philadelphia.



Peter F. Leamsey

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ford. The goods were sent here in vessels. It was
1825 that Peter F. Causey, the future Governor,
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and the purchase and sale of grain,
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John F. Coursey

Democratic member of the State Senate and a personal friend of Mr. Clayton, heard of the charges made against Mr. Clayton, he announced his determination to vote to go into joint ballot so as to enable him to vote for his friend that he may go back to the Senate and defend himself. The dead-lock was thus broken and Mr. Clayton was elected United States Senator. Franklin Pierce¹ was elected President in 1853, having received the electoral vote of Delaware. The campaign was the last fought by the Whigs, as the majority of that party drifted into the "American" party. This party was very successful in the campaign of 1854, electing P. F. Causey Governor and the entire "American" ticket, by an aggregate majority of about one thousand votes. Peter Foster Causey, who was elected Governor of the State from 1854 to 1858, was in many respects a very remarkable man. He was born near Bridgeville, in Sussex County, January 11, 1801. He was the son of Peter F. and Tamzey Causey. His father early in life was an intelligent and progressive farmer and a man of fine capabilities. When the son was four years old his parents moved to Caroline County, Maryland, and his father there engaged in agricultural pursuits until 1815, when they moved to Milford. The bent of mind of both father and son was to engage in a business, giving an opportunity for the development of their native energy and capacity more than farming afforded in that early day. The education of the son was completed by the time he was sixteen years old, and he then began a brilliant and prosperous career in the mercantile business at the present site of the First National Bank of Milford, the firm from 1817 to the time of his father's death being Peter F. Causey & Son. The merchandise sold in their store was purchased in Philadelphia and New York, and the son, when in his seventeenth year, regularly thereafter went to those cities to make the purchases. His knowledge of business seems to have come to him by intuition, as his transactions at so early an age were marked by that quickness of perception, extraordinary judgment and keen foresight, which were his distinguishing traits through life. The trip to New York was then made by stage, taking nearly a week from Mil-

ford. The goods were sent here in vessels. It was in 1825 that Peter F. Causey, the future Governor, embarked alone in business, which included a large general store, and the purchase and sale of grain, wood and lime. As time progressed his trade increased, and his establishment became a centre of interest to the town of Milford, a large section of the adjoining counties of Kent and Sussex and portions of Maryland. Mr. Causey, when yet young, was universally recognized as the foremost man in the community in which he lived. About 1820 and for several years afterwards he was engaged in mining iron ore, which he obtained in large quantities on his own land in Nanticoke Hundred. He shipped it on his own vessels to Philadelphia. Whatever he attempted to do he made a success and he soon accumulated large means. He made his permanent investments in real estate near his home, never operating in stocks. He purchased two saw-mills, a tannery, the Haven Flouring Mills, the Milford Mills and what is now known as the Marshall Mills, and operated all of them in connection with his other business. He used his own vessels for the shipment to New York and Philadelphia of the grain he purchased and the flour he ground in his mill.

In 1840 he went out of the general mercantile business and devoted his time to his large land interest, aggregating fifteen hundred or more acres, divided it into farms, and to the management of his flour-mills, sawing-mills and tannery, nearly all of which property is now owned by his children.

As a public-spirited citizen he favored every enterprise or movement that benefited the town and community, trained many young men in correct business habits in his store and took the greatest care to aid and encourage them when they entered business for themselves. He favored and supported the public school system, and was instrumental in securing well-educated and practical teachers from the North to teach the town academy; advocated the cause of temperance and morality in all its phases; was kind and generous to the poor, and a liberal supporter of the Methodist Church, of which he was a member.

He was noted for his highly commendable life and character, was upright in all his dealings and just and true to his fellow-men, and enjoyed the fullest confidence of all with whom he associated.

He was of large stature, being six feet tall, and weighed two hundred pounds, had a striking presence, commanding personal appearance and dignified bearing.

Governor Causey was elected by the Whig party to represent his county in both branches of the State Legislature, was a delegate to the National Whig Convention which nominated General Harrison for the Presidency, who was elected in 1840, and was a delegate to the convention at Baltimore in 1844 which nominated Henry Clay for the same office. In the fall of 1854 he was chosen Governor of Dela-

¹ Franklin Pierce, during the last year of his Presidential term, was enthusiastically received by the people of Wilmington, on September 20, 1856. He passed through the city on his way to his home. A delegation of the Jefferson Association, of this city, went to Elkton to meet him. Dr. Henry F. Askew, in behalf of the association and of this city, received him in an impromptu speech, touching upon the patriotism of Delaware in the Revolution, and of her devotion to the Union.

The President responded as follows: "I thank you, my fellow-countrymen, for your generous courtesy. The noble and patriotic sentiment that has just been uttered in alluding to the blood of the heroes of the Delaware line in the Revolution fills me with the deepest emotion. Such sentiments should bind the States together as with hooks of steel. The blood of your fathers, which honored the State of Delaware, and of mine, which stained the hills of my native State, New Hampshire, will, I trust, arouse so many strong arms and stout hearts that the sentiment of disunion will not dare to exhibit itself except in words. With these few remarks, I again thank you for the attention you have accorded me."

The train, which arrived in Wilmington at 3 p.m., in less than half an hour left for Philadelphia. Mayor Vaux, of that city, headed a delegation which came to Wilmington to meet the President and escort him there.

ware. He took his seat in January, 1855, and served the Constitutional term of four years. During this time he showed that rare executive and administrative ability that characterized his successful business career. His course in the gubernatorial chair was that of a man thoroughly devoted to the interests of his native State, and when he retired from the office he received the highest praise from his constituents.

A pleasant and gratifying coincidence was that while Mr. Causey was Governor of Delaware, his nephew and intimate friend, Trusten Polk, also born near Bridgeville, Sussex county, Delaware, was elected Governor of the State of Missouri, and subsequently became a Senator in Congress from the same State.

When Mr. Causey was Governor he made a number of important appointments, among which were that of Hon. Samuel M. Harrington, chief justice, and afterwards chancellor of Delaware; Hon. Edward W. Gilpin, chief justice, to fill the vacancy caused by the promotion of Justice Harrington, the now distinguished chief justice; Hon. Joseph P. Comegys, United States Senator during the interim of the Legislature in 1856, to fill the vacancy caused by the death of Hon. John M. Clayton; and Hon. John W. Houston, associate judge of the Superior Court, resident in Kent County. One very commendable feature of his appointments was that of Judge Gilpin, who differed from the Governor in politics, to the position of chief justice of the State, which was one of the best-received appointments ever made in Delaware. It was done on account of Judge Gilpin's eminent fitness for the position.

During Governor Causey's administration an act proposing an amendment to the State Constitution for the purpose of abolishing life tenures in office was passed February 4, 1857, which, under the Constitution of the State, had to be approved by the Governor before it was considered by the people. In his next annual message he set forth valid and satisfactory reasons why he did not approve of the proposed amendment.

His action on this matter was sanctioned by all parties then, and virtually settled the question.

A few years after his retirement to private life Governor Causey's health failed him, and during the remainder of his years until his death, February 15, 1871, he was an invalid.

He was married, in 1825, to Maria Williams, daughter of John Williams, Esq., of Kent County, a descendant of one of the earliest settlers of Delaware. Her brothers were representative business men of Milford, and her ancestors were influential in the affairs of Kent County. She is now living, in her eighty-fifth year, at the Causey mansion in South Milford, surrounded by her children.

This historic house, the oldest in the town of Milford, was built in 1750 by an Englishman named Levin Crapper. It was the residence for many years of Governor Rogers of Delaware, whose remains lie on the

grounds. It was remodeled in 1850 by Governor Causey when he first occupied it. The surviving children of Governor Causey are William F. Causey, Peter F. Causey, John W. Causey and Maria E., wife of Robert H. Williams.

The defeat of the Know-Nothing party in the campaign of 1856 was due to the passage of a prohibitory liquor law. The Democrats carried the State for Buchanan for President, and their State ticket by a majority of about two thousand, out of about fourteen thousand votes cast. The Republican ticket, headed by John C. Fremont in 1856, only received three hundred and five votes in the entire State.

Those who opposed the Democrats in 1858 organized the "People's Party," but in the fall campaign were defeated by two hundred and three votes, the Democrats electing William Burton for Governor and a majority of the Legislature.

Governor Burton was born October 16, 1789, and died August 5, 1866.

His father, John Burton, an enterprising farmer of Sussex County, married Mary Vaughan, who, after the death of her first husband, became the wife of Robert Frame; and their son Robert Frame, the half-brother of Governor Burton, was one of the ablest lawyers of his day.

The boyhood of Governor Burton was spent on his father's farm, and he acquired his preparatory education in the local academies, where he was a faithful and diligent student. He studied medicine in the office of Dr. Sudler, of Milford, and was graduated from the Medical Department of the University of Pennsylvania. He began the practice of his profession in the town of Lewes, but soon removed to Milford, where he lived during the remainder of his successful career. He had many of the endowments and requirements of the ideal physician—being not only well-versed in the science of medicine, but eminently sympathetic in his nature and diligent in his efforts to alleviate suffering—he secured a large practice and enjoyed universal popularity in the town and surrounding country. He was proud of his success as a farmer, and dispensed a free and large-hearted hospitality at his comfortable home on a farm in the suburbs of Milford. He was charitable to the poor, companionable to the young and the idol of little children.

In 1827 he was commissioned a brigadier-general of the militia of Kent County, and filled that position for two years. Dr. Burton had always taken an active interest in State politics, and in the days of the ascendancy of the Whig party was one of its acknowledged leaders. He studied the issues of the day and delighted to engage in the intelligent discussion of them. In 1830 he was elected sheriff of Kent County. In 1848 he joined the Democratic party, and in 1854 he was nominated for the office of Governor, but was defeated by the *Know-Nothing party*. In 1858 he was again the standard-bearer of his party for Governor, and as has been stated, was elected, and



William L. G.

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It is not clear that the Department is correct in portions of the Study, which contains numerous errors. For example, the Department's

of the State Constitution for the removal of any officer was passed. The bill, under the Constitution of this State, to be removed by the Governor in case of a crime by the people. In his next annual message he set forth vivid and convincing reasons why he did not approve of the proposed amendment.

The action of the matter was somewhat different. It passes them, and does not so completely obliterate.

A few years later I was asked to create a laboratory course, but I was not given a budget. The restriction of no monetary resources was a challenge. The result was a novel idea.

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2. In 1941, I was recruited by the FBI to work for the agency which later became the "FBI School of Criminal Justice" in Quantico, Virginia. While I was employed by the Federal Bureau of Investigation, I met W. C. Coker and Mr. J. Edgar Hoover.

The election of 1856 shows nothing particularly strange. The election of 1856 was due to the passage of a protective tariff law. The Democrats carried the State by a majority of 10,000 votes, and their State ticket carried a majority of nearly 100,000 votes, or about 100,000 votes and votes cast. The Republicans in the county of York Co. placed out in 1856, only received the 100,000 votes in the entire State.

Those who opposed the Democrats lost. Saved the "Peoria's Party," but in the end they were defeated by two hundred and three votes. Democrats electing William Burton for governor and a majority of the Legislature.

Glover A. Leaton was born October 10, 1872, at
 1014 Lexington, Mass.

His father, John Burton, an enterprising farmer of Sussex County, married Mary Vaughan, who, after the death of her first husband, became the wife of John Frame; and their son Robert Frame, a half brother of Governor Burton, was one of the successful men of his day.

He was a member of the Governor's Council and was speaker of the latter's Council, and he acquired his preparatory education in the New England States, where he was a diligent and diligent student. He studied medicine in the office of Dr. S. C. Milford, and was graduated from the Medical Department of the University of Vermont. He began the practice of his profession in the town of Lewis, but soon removed to New York, where he lived during the remainder of his professional career. He had many of the qualities of a well-trained physician, being not only well versed in his science of medicine, but also sympathetic in his nature and diligent in his efforts to do his best for his patients. He secured a wide and universal popularity in the town of Lewis, and was a member of the Lewis and Clark Association. He was proud of his son, and he lived a free and large life, and he died at his comfortable home on a farm in the town of Lewis, New York. He was cheerful and companionable to the young and the old, and he was a member of the Lewis and Clark Association.

From 1870 he was commissioned a 1st lieutenant of the militia of Kent County, and he served for two years. Dr. Burton had a very deep interest in State politics, and he was usually found at the Whig party was one of its champions. He started the first school designed to educate the freed slaves in 1870. In 1871 he was elected a member

In 1948 he joined the Democratic Party and was elected to the House of Representatives by the Alaska voters. His political views, particularly his opposition to the atomic bomb, have been stated, with



William Burton

CHAPTER XVIII.

THE CIVIL WAR.

assumed the duties of his office in January, 1859. Early in his term the Governor's position became one of great perplexity and weighty responsibility, owing to the breaking out of the Civil War. His efforts, officially and individually, were directed at first towards effecting a peaceful solution of the difficulties between the contending sections, and, to further this end, which accorded with the prevailing sentiment of the people of his State at that time. After all efforts toward peace had failed, however, he gave his official support to the policy of the National Government to maintain the Union by the force of arms. Of the first call for troops made by President Lincoln, Delaware was expected to furnish one regiment of seven hundred and eighty men. There being no militia law then in force, the State had no troops to call out. In compliance with the request of the Secretary of War, Governor Burton, April 23, 1861, issued a proclamation calling for the enlistment of volunteers, which was the utmost extent of his power as the State's executive. By the 1st of May the Governor announced that the full quota of the State had been furnished; and, afterward, three regiments of one thousand men each were raised and equipped, and sent into the field. During these troublous years of his term, the chief executive maintained a wise, equable and efficient zeal in the discharge of his executive functions, and retired from office January 1, 1863, with the general approval of not only his party, but of the whole people of Delaware—for while steadfastly supporting the integrity of the Union, he was vigilant in maintaining the rights and dignity of the State. He died three years later, at the age of seventy-seven.

Governor Burton was a warm supporter of the creed and claims of the Protestant Episcopal Church, and was for many years senior warden of Christ Church, Milford.

He was twice married—first to Mrs. Eliza Walcott, daughter of William Sorden, of Kent County, who died early. In 1830 he was married to Ann C. Hill, daughter of Robert and Rhoda (Davis) Hill, who lived, after her widowhood, until October 14, 1885. They had one child, Rhoda, who married Alfred R. Wootten, Esq., who was attorney-general of Delaware at the time of his death, in 1864, also leaving but one child, Mary Robinson Wootten, now the wife of David T. Marvel, Esq., of Georgetown.

In the campaign of 1860 the Breckinridge Democrats nominated Benjamin T. Biggs, of New Castle County, for Congress; the Douglas men, Elias Reed, of Kent; and the People's party nominated George P. Fisher, of Kent. The latter was elected by a plurality of some two hundred and fifty votes. The result of the Presidential election of 1860 is given in the next chapter.

On the 6th of November, 1860, the election for a President of the United States took place. The candidate of the Republicans was Abraham Lincoln, of Illinois. The distinctive principle he represented was the non-extension of slavery to the Territories of the United States, and its speedy removal from all places belonging to or under the exclusive control of the Federal government. Stephen A. Douglas was the candidate representing the principle of non-intervention, which was understood to mean that Congress should not interfere with the question of slavery or no slavery in a Territory, but that it should be left to the inhabitants to determine when they assembled in convention to form a State Constitution. The friends of Mr. Douglas consisted of a portion of the Democratic party. John C. Breckinridge was the candidate representing the principle of protection to slavery in the Territories, regarding slaves as a species of property recognized in the Constitution of the United States. After the Territories became States the whole question was to be under their control. The friends of Mr. Breckinridge constituted that portion of the Democratic party which did not support Mr. Douglas. John Bell was the candidate of a party whose platform was "the Constitution, the Union and the enforcement of the laws."

The vote of the people at the election was as follows: Lincoln, 1,866,452; Douglas, 1,375,157; Breckinridge, 847,953; Bell, 590,631. Mr. Lincoln received the vote of California, Connecticut, Illinois, Iowa, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey (four), New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont and Wisconsin—or one hundred and eighty electoral votes, from seventeen States. John C. Breckinridge received the vote of Alabama, Arkansas, Delaware, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina and Texas—or seventy-two electoral votes from nine States. John Bell received the vote of Kentucky, Tennessee and Virginia—or thirty-nine electoral votes from three States. Stephen A. Douglas received the vote of Missouri and three electoral votes from New Jersey,—or twelve electoral votes from one State and a portion of another. Lincoln's majority over Douglas was 491,295, over Breckinridge, 1,018,499; over Bell, 1,275,821, and the aggregate majority of these candidates over Lincoln was 947,289, out of a suffrage of 4,680,193.

In Delaware, Samuel Jefferson, John Mustard and Robert B. Houston, the Breckinridge electors, carried the State by a plurality of 3483 votes. Mr. Breckinridge received 7347 votes, Bell 3864, Lincoln 3815 and Douglas 1023, out of a total of 16,049 votes cast.

The measures and disputes which resulted in the War of 1861-65 all had reference to the existence of

slavery in the Southern States. Delaware was classed with the Southern or slave-holding States, in distinction from the Northern and free-labor States. According to the census report of 1860, there were in the State 90,589 white inhabitants, 19,827 free colored and 1798 slaves. Of the slaves, 1341 (three-fourths) were in Sussex County, 254 in New Castle, and 203 in Kent; of the free colored, 8188 were in New Castle, 7271 in Kent, and 4370 in Sussex; of the whites, New Castle had 46,355, Sussex 23,904, and Kent 20,330.

In 1860-61 the Federal government was conducted by those who were mixed up in the slavery measures and disputes on the one side, and the Confederate government by those involved in them on the other. The opinion entertained by Southern statesmen previous to the difficulties was that the Constitution of the United States protected the institution of slavery in the States, in so far as it withheld from the government all power to interfere with the institutions of the States, as it required the government to restore fugitives, as it gave a representation in Congress based upon their numbers, and as all direct taxes were to be estimated on a basis including this population.

Those known as radical abolitionists in the Northern States held the same opinions relative to the Constitution of the United States, and for this reason they denounced it as a "a covenant with death and a league with hell." In their view disunion, immediate and complete, was the only feasible means by which to be released from its obligations. Those known as anti-slavery men had a distinct political organization, and took a position in the rear of the former. They held a similar opinion relative to the powers of the Federal government over the institutions of the States, but devoted their efforts to defeat the operations of the law for the recovery of fugitives, and to aid the slave in escaping from his servitude; to thwart on every occasion, if possible, all measures tending to promote the interests of slaveholders, and to persuade persons tenderly conscientious that slavery was a sin which it was their duty to exterminate, and that the black man was the equal of the white man. The remainder of the people held the same opinion on the powers of the Federal government over the institutions of the States. Indeed, it may be said there was not a dissentient opinion on that subject. But while the great mass of the people in the Northern States held these views, they also considered that slavery was an institution abolished as profitless at the North, and, therefore, one in which they had no concern.

The thoughtful reader will see that here were the seeds of an attempted dissolution of the Union of the States. So long as the persons of anti-slavery or abolition views were few and insignificant they remained in obscurity; but if the hour should ever come in which they should hold the control of the Federal government, it would involve a concession

on their part or on that of the slaveholders, or a rupture. There was nothing to encourage the patriotic citizen to hope that concessions would be made if this hour of fate should ever come. The anti-slavery men of the Northern States and the slaveholding citizens of the Southern States quickly grew to be antagonists, and their differences and disputes were conducted with the most bitter and vindictive denunciations to be found in human language. On the floor of Congress members from the Northern States, holding high positions for intelligence and piety, denounced the slaveholding citizens of the Southern States as "bartering their own children," as "dealing in the image of God," as "buying and selling the souls of men," as "making merchandise of the Holy Ghost."¹ The reply to such expressions was "contemptible fanatic," etc., etc.

Meanwhile the anti-slavery sentiment grew apace, and there became enough who held those views to control State elections, by acting as a third party, and thus in one instance to control the vote of a great State at a Presidential election, which was thereby decided. The progress of these views now was more rapid; slavery was attacked in both Senate and House of Congress at every assailable point. To satisfy the scruples of the citizen who knew his duty of non-interference under the Constitution, and the stings of a conscience called to act under a belief that citizenship with a slaveholder was sin, the principle of a higher law was proclaimed, which relieved the conscience from the obligations of the Federal Constitution. The progress of anti-slavery views now was rapid. One of the great political parties of the country was demoralized and broken up, and an anti-slavery candidate for the Presidency brought forward, who carried every free State but four, and thus was almost successful. Four years of bitter anti-slavery contests ensued in which the object was to defeat the extension of slavery to any Territory by preventing the creation of any authority for its existence there. This was to be done by a direct prohibition by Congress, as some urged, or by absolute non-interference by Congress, but by the decision of the settlers. Meantime the slave-holders were told that the contest was "irrepressible," that it would go on, from the very nature of the question, until all the States became free, or all became slaveholding. At length by the Presidential election of 1860, the administration of the Federal government was put into the hands of the anti-slavery party. Such had been the bitterness of the contest that seven of the extreme Southern States took steps immediately to withdraw from the Union. The reason on which they attempted to justify their acts was that, in their opinion, it was the determined purpose of the Republican or anti-slavery party to so interfere with their domestic institutions as to render it unsafe for them longer to continue in the Union. On the other hand, this great party

¹ See speeches of Horace Mann, successor to ex-President John Quincy Adams, and others.

after a struggle of years, had won the rightful possession to the sceptre of the nation, and were indignant at these proceedings. They preserved a moody silence, and defied the consequences.

The Congress of the United States assembled on the 3d of December, 1860, and on the 20th the State Convention of South Carolina, after a brief debate, passed the ordinance of secession, by a unanimous vote. Mississippi followed the example of South Carolina on the 9th of January, 1861; Alabama and Florida, January 11th; Georgia, January 20th; Louisiana, January 26th; Texas, February 1st; Virginia, April 17th; Tennessee, May 6th; Arkansas, May 18th; North Carolina, May 21st; and Kentucky, November 20th.

Delaware, as an exposed and frontier slaveholding State, had a larger practical interest in the maintenance of the guarantees of the Constitution in regard to slavery than many of the inflammable seceded States. From her geographical position, she had a heavier stake, proportionately, in the preservation of the Union, so far as her material prosperity was concerned, than many of her sister Commonwealths. This was clearly demonstrated by a consideration of the sources of her wealth, the nature and direction of her industry and of her commerce, external and internal. Bound to the Constitution and the United States by every tie that interest could weave or strengthen, she had been uniformly faithful to the performance of every obligation imposed by the one or suggested by her devotion to the other.¹

Not only this, but in all the dissensions which sectional feeling and fanatical agitation had promoted, her support had always been given to moderate doctrines and conciliatory counsels. Sympathizing with the South in its wrongs and just resentments, and ready at all times to make common cause with it in the Constitutional maintenance of its rights, Delaware had always kept aloof from its mad heresies and passionate bitterness. Outraged more than any of the cotton States by the aggressions of the North, and prompt to repel them, within the limits of her Constitutional resources and Federal allegiance, she did nothing whatever to widen the breach between the antagonistic sections of the republic, or to weaken the hands of those conservative Northern citizens who were at this time nobly struggling to maintain the good faith and integrity of the national compact. In the position which Delaware had thus historically assumed the election of the 6th of November had rooted her still more firmly. She had given her

¹ At the second session of the Thirty-sixth Congress, which began at Washington on Monday, December 3, 1860, Senator Willard Saulsbury, of Delaware, in the debate on printing the President's message, said: "My State having been the first to adopt the Constitution, will be the last to do any act or countenance any act calculated to lead to the separation of the States of this glorious Union. She has shared too much of its blessings; her people performed too much service in achieving the glorious liberties which we now enjoy, and in establishing the Constitution under which we live, to cause any son of hers to raise his hand against those institutions or against that Union. Sir, when that Union shall be destroyed by the madness and folly of others (if, unfortunately, it shall be so destroyed), it will be time enough then for Delaware and her Representatives to say what will be her course."

electoral vote to the candidates by whom the Constitutional rights of the South were most emphatically and exclusively represented, and at the same time, through her whole press, and with the united voice of all the political parties within her borders, she proclaimed at this period her fixed determination to take her stand within the circle of the Union and protect herself by the Constitution only.

On the 2d of January, 1861, the Legislature assembled at Dover, and on the next day the commissioner from Mississippi, Henry Dickinson, appeared before the House, and made an address. In the name of the State of Mississippi, he invited Delaware to join the Southern Confederacy, which was about to be formed. He claimed the right of the State to secede from the Federal Union, and said, if it was not admitted, war would be inevitable. After his speech, the House resolved unanimously, and the Senate concurred by a majority, that, "having extended to the Hon. H. Dickinson, the commissioner of Mississippi, the courtesy due him, as the representative of a sovereign State of the Confederacy, as well as to the State he represents, we deem it proper and due to ourselves and the people of Delaware to express our unqualified disapproval of the remedy for existing difficulties suggested by the resolutions of the Legislature of Mississippi."

On the 19th of January the Legislature of Virginia passed a series of resolutions which led to the Peace Conference at Washington on February 4th, in which twenty States were represented. The delegates appointed from Delaware were George B. Rodney, Daniel M. Bates, Henry Ridgely, John W. Houston and William Cannon. In the instructions to her delegates, Delaware declared that, in the opinion of "this General Assembly, the people of Delaware are thoroughly devoted to the perpetuity of the Union, and that the commissioners appointed are expected to emulate the example set by the immortal patriots who formed the Federal Constitution, by sacrificing all minor considerations upon the altar of the Union."

The Peace Convention continued in session until the 27th of February, when the result of its labors was laid before Congress. Delaware was represented in Congress at this time by James A. Bayard and Willard Saulsbury in the Senate, and William G. Whitely in the House. At the extra session of Congress held on July 4, 1861, William G. Whitely was succeeded by Hon. George P. Fisher.

On the 26th of December, 1860, Major Anderson transferred his garrison from Fort Moultrie to Fort Sumter, in Charleston harbor. The movement excited intense indignation among the active secessionists in that city. It was the first flash across their minds of the idea that the United States might fight before the difficulty was ended. Affairs now continued to grow worse. The hope of an amicable adjustment was diminished by every hour's delay, and as the prospect of a bloodless settlement passed away, the

public distress became more and more aggravated.¹ On the 4th of March, 1861, President Lincoln delivered his inaugural address, took the oath of office and began the discharge of his duties. At this time seven Southern States had retired from the Union, the officers of the Federal government had resigned, and there were no persons to represent its powers or execute its duties within their limits, excepting in the Post-Office Department. In those States all the government property had been seized, and only Forts Pickens, Taylor and Jefferson, near the Florida coast, and Sumter, in Charleston harbor, continued under the flag of the Union.

On April 1st measures were taken at Governor's Island, Fort Hamilton, Bedloe's Island and the Brooklyn navy-yard, New York, to relieve these fortifications. All eyes were now turned towards Fort Sumter with intense interest. It was well known that the unseen future was wrapped up in her fate. If she was peaceably supplied with stores for the starving garrison, or if peaceably evacuated, then the prospects for peace would become hopeful; if on the other hand, an assault should be made, war, with all its horrors, fraternal war, was upon the country. The country did not have long to wait in suspense, for on Friday morning, April 12th, about four o'clock, fire was opened from all points upon Fort Sumter, and continued for thirty-three hours, when her commander, on the afternoon of the 13th, surrendered. The fort was evacuated on Sunday, the 14th, and as the news flashed over the country by telegraph, it was instantly followed by the summons of the President, "To arms! to arms!" His proclamation, ordering seventy-five thousand men into the field, was issued on the night of the 14th. A call for the troops was issued by the Secretary of War, Simon Cameron, in accordance with the President's proclamation, and sent to the Governors of the respective States. The quota allotted to Delaware under this call was one regiment of seven hundred and eighty men. These documents were spread through the country on Monday, the 15th, and on the 19th the Sixth Regiment of Massachusetts Volunteers,² completely equipped, passed through Wilmington for Washington, so eager was that State to be the first in the field.

The most uncontrollable excitement now burst over the country. Both North and South rushed to arms—the former to maintain the government and to preserve the Union, the latter to secure the independence of the Confederate States and the dissolution of the Union.

In Wilmington, Delaware, the news of the firing on Fort Sumter created the most intense excitement. The streets soon became thronged with people, and groups were gathered around the newspaper and tel-

egraph offices, excitedly discussing the situation. As soon as intelligence was received of the surrender of the fort, the opposition to secession became very strong. In the evening a body of workingmen, headed by a drum and fife, paraded the streets, cheering loudly for the Union. On April 16th one of the largest and most enthusiastic Union demonstrations was held in the City Hall. Mayor V. C. Gilpin presided, with George Nebecker, J. S. Valentine, George S. Hagany, Joseph R. Bringhurst, Joel Frist, James H. Rice, William A. Wisdom, L. H. Coxe, Henry Bartram, S. S. Southard, Daniel Farrar, William H. Pierce, Joseph C. Spear, Henry McLearn, John F. Miller, Joseph Heston, R. S. La Motte, J. M. Barr, J. A. Hunter, Joseph Richardson, William S. Hayes, J. W. Sullivan, H. N. Wickersham, J. Scott, J. Pyle, A. Boys, J. D. Gregg, C. F. Rudolph, J. L. Thompson, John J. Toner, J. M. Turner, Geo. Stearns, J. Maris and John Flinn, vice-presidents; and Wm. H. Gallagher, Charles O'Donnel, S. Postles, H. Finnegan, M. H. Foster and Hanson Harmon, secretaries. Eloquent and patriotic speeches were delivered by W. H. White, J. S. Valentine and John Sebo in support of the government.

The following resolutions reported by Joseph Pyle, W. H. England, J. Montgomery, A. H. Grimshaw and J. M. Pusey were unanimously adopted:

"Whereas, the treason in the South has assumed a form that requires the earliest action of the government, and

"Whereas, the President has called upon the States for seventy-five thousand men to suppress the rebellion that is now waging war against the government, placing our liberties and Union in danger, therefore be it

Resolved, That we fully concur in the views of the President and that we respond to the call in a substantial manner by promising him such aid as may be requisite to enforce the laws and repel invasion.

"Resolved, That Delaware is, as she has always been, loyal to the Union, that treason has always been a stranger to this State, and that we condemn the efforts that have been made to induce the Legislature to take measures to place Delaware among the seceding States.

"Resolved, That a high and exalted patriotism will govern the people of Delaware in the present crisis, and that they will be as they ever have been, the first to uphold and the last to desert the Union.

"Resolved, That the present crisis demands that all party ties should be obliterated; that the Union men of all creeds should band together with no other object in view than the perpetuity of the Union and a vindication of the rights of man; proving to the world that the people are competent to govern themselves.

"Resolved, That we recommend the people of the different Hundreds, irrespective of party, to meet and express their views on the state of the Union.

"Resolved, That we condemn all Senators and Representatives in Congress who have prevented by their votes or speeches the settlement of the present difficulties between the North and South.

"Resolved, that the people of Delaware will sustain the government and support the Union and are always in favor of the Constitution and the enforcement of the laws.

"Resolved, That a committee of five be appointed to request the government officers to place the national flag upon the the Custom-House and Post-Office of this city."

After appointing William H. England, W. H. Bellamy, H. Finnegan, G. S. Hagany and J. Maris a committee to request the Union flag to be raised over the Custom-House and Post-Office, the meeting adjourned with cheers for the star spangled banner, the Union, and Major Anderson, the hero of Fort Sumter.

Following this great meeting, on the 19th of April, the Sixth Massachusetts Regiment, while passing through Baltimore, on its way to defend the capital,

¹ On the 22d of September, 1860, the banks throughout the country suspended specie payments, which produced widespread monetary embarrassments.

² This regiment was attacked in the streets of Baltimore by the populace, and many were killed on both sides.

was attacked by a mob. This act created the most intense excitement in Wilmington, and intensified the Union sentiment. The city feared an attack by way of Baltimore, and to allay public excitement the Mayor on April 22d issued the following proclamation:

"In times of public calamity the minds of men are naturally filled with excitement and alarm. Violent emotions are apt to find vent in demonstrations seriously affecting the public peace.

"Tranquillity and order will be in constant hazard unless the bounds of moderation are strictly observed, both in speech and action.

"Now, therefore, I, Vincent C. Gilpin, Mayor of the city of Wilmington, do hereby enjoin upon all persons the duty of abstaining from intemperate controversies and violent public harangues and all other practices leading to infractions of law; and at the same time I hereby give the assurance that, with the aid of the military arm, I am prepared, to the fullest extent, to exercise my authority as Chief Magistrate, in maintaining order and protecting the rights of persons and property."

In the mean time, on the 19th of April, the City Council made an appropriation of eight thousand dollars for the defense of the city. In pursuance of this act the city purchased four hundred stand of arms in Philadelphia, which arrived on the 22d. The following, from the *Wilmington Morning News* of the 23d, gives a fair idea of the excitement which then prevailed in the city:

"The excitement in our city in relation to the civil war which is now raging in our country is unprecedented in our annals. All day and all night long our streets are filled with crowds of persons, anxiously inquiring for intelligence from the seat of war. Nearly every house in the city has the stars and stripes floating either from the windows or on the roof. At the City Hall, Central Hall, and various other places throughout the city, you see in staring capitals the words, 'Volunteers Wanted.' Not a train of cars arrives but eager crowds throng the depot, and men, women and children run to see them. A number of young men, impatient to enlist in their country's service, left the city for Philadelphia during the week. On Saturday calls were issued for meetings to form 'Home Guards,' 'City Guards' and a company of dragoons. When the train arrived containing the Pennsylvania volunteers who had been driven back by an armed mob in Baltimore on Friday, several of our citizens supplied them with food. Our patriotic ladies put on their kettles and made coffee for them, and conveyed it, with baskets of provisions, to satisfy the hunger of the brave defenders of our free Constitution. On Saturday afternoon Companies B and C, of the Delaware Guards, assembled at their armory in the Friendship Engine House, and were mustered into the service of the city. On Saturday and Sunday night guards were stationed on all the bridges leading to our city. The young men have displayed their Union badges, some wearing a tastefully-executed rosette, others ribbons, red, white and blue, through the button-hole of the lapel of the coat, and quite a number bear the stars and stripes fastened on their breasts. There appears to be but one sentiment in this community now, whatever may have been the differences of opinion heretofore, and that is that the government must be sustained, and rebellion must be put down at all hazards."

About the same time the railroad bridges on the Philadelphia, Wilmington and Baltimore Railroad west of Havre de Grace, and on the Northern Central Railroad south of Cockeysville, Md., were burned by the authorities of Baltimore, to prevent the passage of Northern troops through that city to the South, thus necessitating their transportation from Havre de Grace to Annapolis and Washington by water. Apprehensive for the safety of Wilmington, measures were taken for its defense. The United States revenue cutter "Dobbin" was sent from Hampton Roads to guard the city and the Delaware Bay. On the night of the 19th of April Fort Delaware was garrisoned with one hundred and seventy-five men from Philadelphia. About the same time Fort Mifflin, on the Delaware shore above Chester,

was reinforced by a body of troops from Philadelphia.

The idea of safety animated all classes of people, and for the time being all differences of opinion were subverted to the one purpose of protecting the State through the maintenance of the Union. In order to better allay the fears of the people, Companies B and C, of the Delaware Guards, were assembled at their armory, in the Friendship Engine-house, and were mustered into the service of the city, and at night sentinels were stationed on all the bridges leading to Wilmington. Four hundred stands of arms were procured from Philadelphia and other measures were taken to protect the city from attack.

On April 20th the physicians also tendered their services in case there should be an attack on Wilmington, or on the property and bridges of the Philadelphia, Wilmington and Baltimore Railroad Company. Drs. Porter, White, Bush, George W. Chaytor and G. P. Morris, a committee appointed at a meeting of physicians, secured the City Hall for hospital purposes, and the Odd Fellows' Hall Company tendered their settees for the use of the wounded. The physicians also held themselves ready as a body to give their services if there should be any conflict of arms. The druggists offered to supply lint, medicines, etc., free of charge, and to attend at their several places of business at any hour of the day or night, if necessary, to meet the demands that might be made upon them.

On the afternoon of April 22d another immense meeting was held in front of the City Hall, Wilmington, "to consider the national troubles and adopt measures to secure and strengthen the government." Hon. Willard Hall was made president, with the following vice-presidents: Brandywine Hundred; Jos. Shipley; Wilmington, David C. Wilson; Christiana, James Delaplain; Mill Creek, Lewis Thompson; White Clay Creek, John U. Evans; Pencader, Robert M. Black; St. George's, John P. Cochrane; Red Lion, Capt. George Maxwell; Appoquinimink, James V. Moore; New Castle, George Z. Tybout; Secretaries, Daniel Farrand John B. Porter.

The following persons were appointed to prepare resolutions expressing the sense of the meeting:

Daniel M. Bates, Dr. R. R. Porter, Chas. I. Du Pont, Henry Latimer, Dr. H. F. Asken, Dr. Wm. Couper, Hanson Robinson, S. McDaniel, Dr. L. P. Bush, Jesse Sharpe, E. C. Stotsenburg, A. P. Shannon and Benjamin Gibbs.

Alfred R. Wooten, attorney-general of Delaware, Dr. L. P. Bush, Samuel Townsend, George Read Riddle, Daniel M. Bates, John R. Latimer, Rev. Messrs. Wiswell, Aikman and Condron, Dr. Harlan, George W. Vernon and Washington Curry addressed the meeting in favor of the Union and the duty of sustaining the general government at all hazards, those assembled warmly applauding their sentiments.

The following resolutions were adopted without a dissenting voice:

"The citizens of New Castle County, assembled in county meeting to confer together upon the alarming situation of our national affairs, involved in civil war, deem it our duty to declare that in this emergency we discard all party preferences and bind ourselves firmly to support the constitutional government of the country. We can see no cause for subverting the government, while in its overthrow we discern deplorable consequences. In these consequences the power, honor and prosperity of this nation are imperiled, and the safety, property and comfort of its citizens wantonly and ruinously impaired and wasted. Our country is eminent among the nations; the oppressed from all lands find in it a happy home, civil and religious liberty, such as never has been known before in the history of man, manifests its benign effects in all its governmental bearings, and it secures to every individual the undisturbed enjoyment of the fruits of his industry, talent and enterprise. Revolution puts all this to hazard, and that through the blood and havoc of civil war.

"Resolved, That we hold the union of the States dear, because an inheritance from our fathers, whose patriotism and wisdom we revere, whose memories we cherish, having our confidence, because formed by men of unselfish devotedness to the public good and of practical wisdom and statesmanship distinguishing the age in which they lived, and adorning the annals of man; invaluable to us because insuring to us personal security under the guardianship of laws made by ourselves. The fruits of industry, and the undisturbed enjoyment of all our rights, protecting by the peaceful administration of justice the several States from the aggressions of each other, and investing the nation with character and power commanding the respect of all people, while presenting before them a practical exhibition of the operation of self-government with its inseparable attendant civil and religious liberty, a moral exemplar which has elevated, and unless perversely marred, must continue to elevate the human race. Our own is the only power on earth that can prevent or obstruct this consummation.

"Resolved, That we deem it our highest privilege to live under a government of laws, and for the administration of the Federal Government and the enjoyment of its benefits. Those constitutionally invested with its functions must be unhesitatingly acknowledged and their authority firmly upheld by all good citizens, especially in times of revolution; and we pledge ourselves to support the government in all constitutional measures.

"Resolved, That the government of the country, by whatsoever hands it may be temporarily administered, is the common property. To maintain its constitutional authority is the interest and duty of all alike. By the support we now give to it no man surrenders any opinions he may have heretofore entertained respecting the causes of the present crisis or the policy of the administration now in power.

"Resolved, That, while we have no legally organized militia enabling the Governor to comply with the requisitions of the President of the United States, we trust that the patriotism of our citizens will supply the defect by inducing voluntary offers, and that the spirit of our people will manifest to this generation, for maintaining the liberties we enjoy, as did our fathers to that in which these liberties were asserted and won, the reliance that can be placed on freemen for vindicating their rights.

"Resolved, That we stand ready, faithfully to abide the sacrifices which the carrying out of those resolutions may involve.

"Resolved, further, That while we have full confidence in the law-abiding character of the people of this State, scenes in other places admonish us to inculcate watchful caution against violent or irregular steps; war is exciting and incident to it, especially to civil war, is a popular sensitiveness under which the minds of men become suspicious and inflammable; groundless reports and imaginary inventions are inconsiderately received and acted upon, betraying into rashness and producing, where the presence of war is never felt, aggravated disorder, frequent acts of injustice, a general sense of insecurity. Every one should feel that his own safety depends upon the protection of law, that the magistracy and its process are sufficient for the common welfare, and should be our firm reliance. A brave, firm man is self-possessed; he never will countenance public disturbance or aggression upon the quiet and peace of individuals. We unqualifiedly condemn all tendency to such disturbance and aggression.

"Resolved, That a committee of fourteen be appointed by the chair to confer and act with the City Council upon measures necessary for the public safety."

The following gentlemen were appointed, under the resolutions, a committee of safety: John Wales, Joseph Shipley, Thomas F. Bayard, Jesse Sharpe, John B. Latimer, Dr. H. F. Askew, Henry Du Pont, David C. Wilson, Theodore Rogers, J. Morton Poole, E. G. Bradford, Elijah Hollingsworth and Victor Du Pont.

The "Minute Men," numbering about four hundred of the enthusiastic supporters of the Union in Wilmington, were also very active in the emergency,

under the command of Robert S. and Charles E. La Motte.

They held meetings every night, and encouraged the Union cause by their patriotic measures.

To provide for the prompt suppression, by force, if necessary, of any rebellious movement in the State, the Messrs. La Motte drew up a roll for signers among the "Minute Men" in the following words:

"We, the undersigned, agree to form ourselves into a volunteer militia company, the object of which shall be the preservation of the Constitution, the Union and the enforcement of the laws. And we hereby pledge ourselves, should our services be required by the constitutional authorities of the United States, to support the General Government and the flag of our common country."

At a special meeting held in the latter part of April, the "Minute Men" adopted the following strong resolutions:

"Whereas, Treason has lifted its hydra head in our once happy Union and traitors, emboldened by success, have threatened the existence of our glorious 'stars and stripes'—a flag that is honored by every civilized nation of the earth; and

"Whereas, duty as patriots, as citizens should in this, the hour of our country's peril, stand up for the perpetuation of those principles of Civil and Religious Liberty bequeathed to us by our fathers, and transmit those happy and blessed privileges to our posterity, and

"Whereas the Minute Men of '60, ever loyal to the Union, the Constitution and the laws, are willing, and do hereby agree, to lay aside for the present all party ties, and cordially unite with our fellow-citizens in the protection of our lives, of our homes and our country, and bury all political animosities of the past, unite as a band of brothers for the present emergency and leave the future as political parties to be governed by circumstances; therefore

"Resolved, That we cordially and earnestly invite our fellow-citizens of all political creeds to meet at the Odd Fellows' Hall on Friday evening, to organize for the defence of our City, State and Country in such manner as they may determine upon.

"Resolved, That a committee of five be appointed to carry this resolution into effect."

To carry the resolutions into effect, the president appointed the following committee: Charles Bird, J. Blankin, H. Biddle, G. W. Griffin and Edgar Pierce.

On motion, the president was added to the committee. Samuel Biddle then offered the following expression of the sentiments of the "Minute Men," which was adopted, and a copy was ordered to be sent to President Lincoln:

"The minute-men of '60 of the city of Wilmington, in the State of Delaware, deeply deplore the distracted condition of our beloved country, and especially the inauguration of civil war, with all its attendant horrors; regret that the causes which have brought about this unnatural state of affairs was not referred by the last Congress of the United States directly to the arbitrament of the people of the several States, the true sovereigns of the nation, feeling assured they would have rendered a report that would have given peace and stability to the government, and happiness and prosperity to all our people; but this boon was denied to us, consequently several of the Southern States whom we heretofore so proudly claimed as our sisters, have repudiated and assailed our Government, insulted our National Flag and have hastily brought upon us civil war and carnage, as disgraceful to them as it is mortifying to us.

"Holding as we do, superior allegiance to the General Government, and discarding at this juncture all party predilections and prejudices, desire to assure the President of the United States that we will stand by, support and defend every patriotic effort of the Government to maintain the Constitution, the Union, the enforcement of the laws and the flag of our country forever, against any and all enemies or assailants, at home or abroad."

In accordance with the resolutions of the Minute Men, another large meeting was held in the Odd-Fellows' Hall, to take measures to sustain the government. Speeches were made by John C. Patterson, L. E. Wales, E. G. Bradford, C. B. Love and Dr. Wm. H. White, and the following resolutions were adopted:

"Whereas, The Constitution of the United States has hitherto secured to the citizens of Delaware, all the manifold objects for which it was ordained and established by the people, namely: justice, domestic tranquillity, the common defense, the general welfare and the blessings of liberty, by which we have grown and prospered for more than three-quarters of a century, protected at home and abroad by the arms of a National Government, cherishing proud recollections of the past and indulging in lofty hopes of the future of the country, Therefore,

"Resolved: That we will redeem the glorious pledges made by our fathers—'Delaware was the first to adopt the Constitution and she will be the last to abandon it.'

"Resolved: That it is the duty of every loyal citizen to uphold the Constitution and laws, and to give cheerful obedience to the regularly appointed officers of the Federal and State Governments until the same shall be legally altered or changed.

"Resolved: That in the present exigency of the country, when the citizens of different States are arrayed in hostile attitude against each other and the Federal authorities, we should be prepared to defend the National Government, and to protect our lives and property; and for this purpose we recommend all Constitutional and law-loving citizens to at once enroll themselves into military companies to aid by arms, if all other means fail, in restoring peace to our distracted country.

"Resolved: That the City Council of Wilmington be requested to appropriate funds towards defraying the expense of arming and equipping such volunteer companies as may be raised in this city, and to assist the families of those who may leave the State on military duty, and that our citizens generally be recommended to contribute means and money for the same object.

"Resolved: That while we deeply deplore the sad condition of our country, we sorely hope that the terrible results of civil war may yet be averted, and that we will calmly and harmoniously unite in every effort to preserve the Union. And we therefore deprecate all violence of language, denunciations and threats against persons, as unwise and unbecoming, calculated to embitter neighbor against neighbor, to create acrimony of feeling and personal hostility, when we should present a solid and unbroken front."

The influence of these meetings and the resolutions which they adopted were soon extended to other parts of the State, and numerous war meetings were held, at many of which the Union flag was raised upon poles erected for that purpose. In Sussex County, where were owned three-fourths of the slaves of the State, greater sympathy was expressed for the South, and the growth of the Union sentiment was less general and slower than in the other counties; but even there the Union men succeeded in arousing the people to respond to the call for men to support the government. A large Union meeting was held at Georgetown May 7, 1861, which adopted resolutions expressive of the sense of the people of that section, and, while patriotic, there was a reservation about them which plainly indicated the controlling sentiment:

"Whereas, we are in the midst of revolution and civil war, occasioned by folly and prosecuted in madness, and which threatens a permanent disruption of our Federal Union, and the destruction of our constitutional liberties as a free people; and whereas, under such circumstances it is proper that the people everywhere should consult together for their common good, and give expression to their opinions in reference thereto; therefore

"Resolved, That the people of Sussex County, without distinction of party, in public meeting assembled, hereby declare,

"First, Their immovable attachment to the Federal Union.

"Second, The constitutional equality of all the States and of the people of all the States wherever the Federal authority extends, as the same has been expounded by the Supreme Court of the United States.

"Third, That our national difficulties ought to have been peaceably adjusted by the last Congress, and ought to be so adjusted as soon as possible by the adoption of the positions commonly called the Crittenden Resolutions, by way of amendments to the Constitution, they being in the judgment of this meeting a proper basis for a compromise, in reference to the constitutional rights of the people of the several States, as the same were meant to be secured by the framers of the Constitution.

"Fourth, That we are opposed to the spirit and acts of abolitionism in whatever form and whatever name presented or assumed, hereby declaring objections to the due execution of the fugitive slave law, the passage of the personal liberty bill, and the denial of the equality of the States and of the people of the several States wherever the federal authority extends, and the attempt to interfere by those not interested therein, in any manner, with the institution of domestic slavery, to be

unjust, aggressive, unconstitutional, and unbecoming a law-abiding people.

"Fifth, That in our opinion secession is revolution, and that the grievances and wrongs suffered by any portion of the American people have not been sufficient to justify this the last resort of a free people for the vindication of their rights, but that the redress for those grievances and those wrongs should have been sought in an appeal by constitutional means to the sober second thought of the people.

"Sixth, That Delaware is a member of the Federal Union, and ought to remain; that she has an interest, in common with other States, that the Federal capital should be preserved, and we hereby declare that it should be preserved and defended at all hazards and to the last extremity.

"Seventh, That we deeply deplore our national calamities and the existence of civil war; that the fanatics of the North and the extremists of the South alone are responsible for our troubles, and whilst we condemn the excesses of both, it should be our earnest hope and prayer that an Almighty Providence will interpose to save our country from its impending dissolution.

"Eighth, That we acknowledge fealty and allegiance both to the State of Delaware and to the United States of America. To the State within the sphere of its reserved rights, and the United States within the sphere of its delegated authority; that these obligations are not inconsistent but harmonious and that as law-abiding citizens we will faithfully fulfill them.

"Ninth, That the government of the country, while administered within the restraints of the Constitution, is entitled to and should receive the support of all law-abiding citizens and that while we accord this obedience to the Federal Government, we expressly reserve our right to differ with the present Administration in its measures and policy, when it may assume a party character.

"Tenth, That the promptings of patriotism inspire the citizens of Sussex with cordial attachment to the Union and the constitution, and that in this county assemblage we disavow any partisan motive and acknowledge no standard but the flag of our country."

The citizens of Fulton held a large meeting on the 18th of April, and erected a large pole upon which they perched the American eagle and hoisted the national flag amid a salute of thirty-four guns. On the 26th they assembled to form a Union Guard. The meeting was organized by Dr. N. B. Lynch as chairman and G. Anderson secretary. Resolutions in favor of supporting the government were unanimously adopted.

A meeting of the citizens of Seaford was held on the 20th of April, and resolutions adopted "declaring strongly for the Union, and offering to devote their time, money and lives in the cause of their country." A company of "Home Guards" was also organized and thirty names enrolled.

On the 22d of April a spirited Union meeting was held at New Castle, which was addressed by some of the best men of the town. After the meeting a military company was formed, with eighty-eight persons on the roll.

The friends of the Union of the hundreds of Red Lion and St. George's held a large meeting in the village of St. George's on the 23d of April. Captain George Maxwell was chairman, with the following vice-presidents: John C. Clark, Thomas Jamison, Merritt Paxson, William Love, Alfred Lofland and Jacob Allison. William E. Janvier and L. S. Aspril were secretaries. After prayer by Rev. Joseph Dare, of the Methodist Church, the chairman appointed Anthony M. Higgins, Jefferson Henry, Theodore F. Clark and J. A. Benson to prepare resolutions for the consideration of the meeting. While the committee were at work the meeting was addressed by Dr. W. H. White. The following resolutions, as reported by Mr. Higgins, were unanimously adopted:

"Whereas, In a portion of the States of our Union the authority of

the National Government has been overthrown, its laws disregarded, its property seized or destroyed, and its flag fired upon and insulted, and

"WHEREAS, It has been boldly asserted that the remaining slave States will assist the former in their attempt to destroy the Federal Union, and

"WHEREAS, The President of the United States has called upon all loyal citizens to support him in defending the capital of the nation from threatened treasonable assault and in maintaining the authority of the Government;

"Resolved, That we the people of St. George's and Red Lion Hundreds, assembled without distinction of party in the village of St. George's, on the 23d day of April, 1861, are unanimously of the opinion that henceforth every constitutional right of the United States ought to be asserted and maintained, and whatever means may be necessary to accomplish that object the patriotic people of the loyal States will promptly and cheerfully provide.

"Resolved, That we, the citizens of St. George's and Red Lion Hundreds, will, to the utmost of our ability, aid the General Government in maintaining its authority, in enforcing the laws, and in upholding the Flag of our glorious Union.

"Resolved, That Delaware, the first to adopt the Federal Constitution, will prove to be the last State to give it up, and that she may ever seek protection under that star-spangled Banner which has been respected by all nations upon this earth."

On the 24th of April it was announced that the Philadelphia, Wilmington and Baltimore Railroad Company having been taken in charge by the Federal Government through an agent in Philadelphia, all its equipments were under the control of the government, and trains with troops were being sent from Philadelphia as fast as possible, an uninterrupted route to Washington having been completed. The Chesapeake and Delaware Canal, used for conveying troops and supplies from Philadelphia to the Chesapeake, was guarded by a force of one thousand men from General Cadwalader's division. Armed men were also placed along the whole route of the Philadelphia, Wilmington and Baltimore Railroad from Elkton, Md., to Baltimore. The arrival and departure of troops in Wilmington was now a matter of daily occurrence.

In compliance with the requisition of the Secretary of War, Governor William Burton issued a proclamation on the 25th of April, calling for the enlistment of volunteers. It was as follows:

"PROCLAMATION.

"To the citizens of the State of Delaware:

"WHEREAS, a requisition has been made upon the undersigned as the Executive of the said State of Delaware, by the Secretary of War for one regiment consisting of seven hundred and eighty men, to be immediately detached from the militia of this State, to serve as 'infantry or rifle-men for the period of three months, unless sooner discharged.'

"AND WHEREAS, the laws of this State do not confer upon the Executive any authority, enabling him to comply with such requisition, there being no organized militia, nor any law requiring such organization.

"AND WHEREAS, it is the duty of all good and law-abiding citizens to preserve the peace and sustain the laws and government under which we live, and by which our citizens are protected;

"Therefore, I, William Burton, Governor of the said State of Delaware, recommend the formation of volunteer companies for the protection of the lives and property of the people of this State against violence of any sort to which they may be exposed. For these purposes such companies, when formed, will be under the control of the State authorities, though not subject to be ordered by the Executive into the United States' service; the law not vesting in him such authority. They will, however, have the option of offering their services to the General Government for the defence of its capital and the support of the Constitution and Laws of the country.

L.S.

"In witness whereof, I have caused the Great Seal of the State of Delaware to be hereunto affixed. Done at Dover this twenty-fifth day of April in the year of our Lord, one thousand eight hundred and sixty-one, and of the Independence of said State the eighty-fifth.

"By the Governor,

"WILLIAM BURTON.

"EDWARD RIDGELY, Secretary of State."

The State had no militia for the Governor to call

out; therefore his object was to encourage the formation of volunteer companies. This was the utmost extent to which he could officially act, and it was in compliance with the wishes of a large majority of the people of the State, who were resolved to sustain the government and defend the Union, without regard to the person who might be the President of the United States. On the 1st of May the Governor, finding that volunteers were freely offered, issued the following orders:

"DOVER, Delaware, May 1, 1861.

"The undersigned, the constitutional commander of the forces of the State of Delaware, directs that those volunteer companies of the State that desire to be mustered into the service of the United States, under the call of the President, will rendezvous to the city of Washington, with the least possible delay, where they will be mustered into the service of the United States by Major Ruff, who has been detailed by the War Department for that purpose, and who has reported himself to me and received my instructions. The regiment will consist of ten companies, to serve for the period of three months.

"WILLIAM BURTON,

"Governor and Commander-in-Chief."

To encourage enlistments, a number of the citizens of Wilmington contributed to a fund for the support of the families of such volunteers as required assistance during their absence in the field, and in compliance with a resolution of the City Council, a meeting was held on the 25th of April to form an organization for this purpose. John M. Turner presided, with Dr. Wilson as secretary. The following committee was appointed to open an office and receive subscriptions for the support of the families of absent volunteers: John Rice, Joseph A. Hunter, J. Morton Poole, Joseph Pyle, J. F. Wilson, Thomas Titus and Edward Moore. Samuel M. Felton, president of the Philadelphia, Wilmington and Baltimore Railroad Company, also generously agreed that the salaries of the employees on the road who desired to enlist should be paid during their absence, and their situations would be open for them upon their return from military service. The physicians of the city, with few exceptions, offered to supply medical services to the families of soldiers free of charge.¹

On the 9th of May, 1861, the relief committee of the city appointed ward committees to facilitate the collection of the fund, which had been subscribed, as follows:

First Ward, J. Morton Poole, J. Bringham; Second Ward, Edward Moore, Thomas Titus; Third Ward, J. A. Hunter, Edward Bringham; Fourth Ward, John Rice, L. H. Coxie, Dr. J. F. Wilson; Fifth Ward, Joseph Pyle, J. N. Robinson. Some of the subscriptions to this fund were very liberal, and aided very materially to encourage enlistments.

In June, 1861, two hundred families derived benefits from the "Relief Fund," the amount paid out per week being about four hundred and fifty dollars.

Encouragement to enter the service was also given by most of the lodges of secret orders and beneficiary

¹ On April 20th Dr. Craig gave notice that he would attend the families of any of the men who had enlisted without charge. On the 30th Dr. J. F. Wilson, treasurer of the committee to obtain funds to provide for the families of volunteers, requested the newspapers to say that "no one need hesitate to enlist for fear that his family would not be provided for, as our citizens have responded to the call nobly, and abundance of funds for the purpose have been subscribed."

societies, which pledged full benefits and all privileges of a member in good standing to such as would volunteer. Most of the lodges in the State, outside of Wilmington, took similar action in this matter.¹

The ladies of Wilmington and other sections of Delaware also manifested their enthusiasm in their good work for the soldiers of the Union. As early as April 23d the wives, mothers and daughters of Wilmington took measures to provide clothing and other necessities for the troops about to be raised. On April 26th a sewing circle for the manufacture of clothing and bandages was organized in the lecture-room of the Central Presbyterian Church. The rooms were open daily, where the ladies carried their sewing-machines. On May 1st the ladies of St. Paul's Church offered their services and tendered the use of their sewing-machines for the manufacture of soldiers' clothing. On April 29th Col. Charles P. Dare, stationed at Perryville, conveyed the thanks of himself and command to the ladies of Wilmington, for "the provisions and luxuries with which they were so liberally supplied." Mrs. Jones, who purchased the mansion formerly occupied by Dr. J. W. Thomson, at the corner of Eleventh and Market streets, tendered it to the city for a soldiers' hospital or rendezvous. On May 18th, Company "D," First Regiment Delaware Volunteers, James Green, captain, passed resolutions thanking the patriotic ladies of St. Paul's M. E. Church, "for their invaluable services in making up the uniforms and clothing of said company." About the same time the ladies of Wilmington presented to the members of Institute Hall a beautiful flag. The presentation speech was made, on behalf of the ladies, by Hon. Judge Houston. The response was by Charles

B. Lora. The musical exercises were under the direction of Mr. Triggs. A large amount of soldiers' underclothing, besides flannel bands and haversacks, were made and turned over to the five Delaware companies encamped near Wilmington by the "Volunteer Sewing Society." The ladies of Georgetown, Milton and Lewes, also made up quite a lot of useful articles for Company "G" in May, which were sent to their encampment near Wilmington. The "Union Home Guards," at Seaford, were presented with a silk flag, on May 28th, by the ladies of that town. Dr. Fisher made the presentation speech, and L. J. Cannon received it on behalf of Captain Hopkins. On July 13th the "Red Lion Mounted Guards" returned their thanks to the ladies of St. George's and vicinity "for their liberality in furnishing refreshments, on the occasion of the Fourth of July celebration and flag presentation; also to Mr. and Mrs. John P. Belville and the committee of arrangements for their untiring exertions in getting up said celebration."

The charitable work done by the ladies' aid societies churches, sewing circles and individuals whose interest in the performance of the work allotted to their spheres was fully as great in Delaware, at this period of the war, as in some of the Northern States. In every section means were raised, food and clothing provided, and especially was this actively done at Wilmington. Before the close of the year sewing circles were formed in the several churches for the purpose of co-operating with the National Sanitary Committee at Washington for the relief of sick and wounded soldiers.

While the organization and equipment of military companies was going on, the spirit of patriotism was earnestly cultivated by the people. The national ensign floated from every public building and many of the private residences were adorned with flags.² Patriotic sermons were preached from pulpits draped with the Star Spangled Banner,³ and nearly every religious service contained allusion to the duty of the citizens towards the maintenance of the Union.⁴

¹ In May, Companies "A" and "B," Delaware Blues, Captains La Motte, and the Columbian Rifle Company, Captain McKaig, marched to New Castle to participate in the ceremonies attending the raising of a flag over the quarters of the New Castle Union Guards, in the old foundry building. William B. Reed presided and George Janvier, L. E. Wales, Samuel Guthrie, Elihu Jefferson, Edward Williams, William Couper, Nathaniel Wolff, Abraham Cannon, George W. Turner and John A. Alderice were appointed vice-presidents. After prayer by Rev. J. W. Spotswood, Mr. Tasker presented the flag. It was received by Hon. G. B. Rodney, and W. C. Spruance delivered an address. The Union citizens of Newport raised a liberty-pole in that town on the 11th of May. A flag pole was also erected in Dover about the same time.

² The pulpit of the Second Baptist Church of Wilmington was festooned with the American flag at the Sunday services in April, 1861.

³ On April 21st, Rev. J. S. Dickerson preached a patriotic Union sermon in the Second Baptist Church. On the same day Right Rev. Bishop Lee preached a patriotic and touching sermon in St. Andrew's P. E. Church, on "the Christian citizen's duty in the present crisis." At the close of the services in the Central Presbyterian Church, Mr. Fullmer, the organist, played the "Star Spangled Banner." Messrs. John Lonadale, Charles Campbell, Samuel Hart, William Lewis and James Yearly, on Sunday, April 21st, in a most feeling manner took leave of their friends at Scott M. E. Church, in Seventh Street, before leaving Wilmington for Philadelphia, to enlist in the army. They asked for the prayers of the congregation in their behalf. In the Hanover Church, at the Sunday services, the choir sang "My country 'tis of thee, Sweet Land of Liberty," with great effect. On Sunday, April 28th, Rev. Mr. Wiswell preached at

¹ Fairfax Lodge, No. 8, I. O. O. F., on May 5th, resolved to remit the dues of every member who enlisted, and agreed to pay to the wives of those who were married \$1.50 per week while they were in the service of the government.

Good Intent Division, No. 3, Sons of Temperance, on May 7th, "Resolved, That any member in good standing in this Division, who volunteers in the active service of our country, shall be kept in good standing by the F. & until the Brother returns, and shall be entitled to benefits the same as though he remained in the city."

St. Peter's Beneficial Society, George O'Neal, president and James Monaghan, secretary, on May 6th,

"Resolved, That this society tender to its members who may volunteer their services in defence of their country, all the rights which each beneficial member would otherwise be entitled to."

The Wilmington and Brandywine Council, No. 3, O. U. A. M., J. M. Scott, recording secretary, on April 29th,

"Resolved, That every member of Wilmington and Brandywine Council who may enlist in defence of his country and flag, and who, at the time of said enlistment is in good standing in the council, shall be provided with a gutta percha blacket and be exempt from the payment of his dues, and shall, in case of sickness or death, be entitled to the regular benefits of the Council."

St. Mary's Beneficial Society, in May, adopted a resolution tendering to its members who volunteered "all the rights which each member could otherwise be entitled to."

Jefferson Lodge, No. 2, I. O. O. F., on May 16th,

"Resolved, That in case any members of this Lodge leave in response to their country's call, this Lodge pledges to keep said members in good standing and to protect their families from suffering and want during their absence, provided said members are not in arrears to this Lodge at the time of their enlistment."

Wilmington Division, No. 1, Sons of Temperance, on May 16th,

"Resolved, That any member of this Division who has or may volunteer his services to the General Government during the present crisis shall be exonerated from his dues during said term of service, provided he retain his pledge inviolate, and shall, in case of sickness or death, be entitled to the regular benefits of the Division."

For the defense of the city of Wilmington the "Wilmington Home Guard" was immediately organized, with the following officers: Captain, F. B. Sturgis; First Lieutenant, Richard B. Duncan; Second Lieutenant, Daniel La Motte, Jr; Third Lieutenant, John J. Toner; Fourth Lieutenant, J. E. Bailey. In a few hours the company numbered one hundred men, and was fully armed and equipped ready for service.¹ From this time forward volunteering progressed rapidly. On April 25th a company of German Turners, numbering eighty men left Wilmington for Philadelphia, to unite with the Turner regiment then in process of formation in that city.

In April the "City Guard" was formed under the provisions of an ordinance of the Wilmington City Council. It was composed of the best men in the city, and had its armory at the corner of Front and Tatnall Streets. It was subject to the orders of the mayor, and was at all times prepared to give immediate response when its aid was required. About the latter part of April the ladies of the First Ward presented the "City Guard" with a handsome flag. The Guards were drilled every night by Instructor George Read Riddle. William T. Porter was chosen as the quartermaster. Ex-Mayor Wilson, Abraham Boys, Joshua and Bauduy Simmons, John H. Price and many old and worthy citizens were honorary members. The Guards completed their organization on the 7th of May, by electing the following officers: Captain, George Read Riddle; First Lieutenant, William E. Highfield; Second Lieutenant, Henry Bleyer; Third Lieutenant, Samuel D. Newlin; Fourth Lieutenant, John Divine; Quartermaster, William T. Porter; Ensign, George O'Neill.

Before May 1, 1861, military companies had been formed as follows:

Company A, Delaware Blues, Capt. R. S. La Motte, 100 men; Company B, Delaware Blues, Capt. C. E. La Motte, 100 men; Company C, Delaware Blues, Capt. Thomas A. Smith, 100 men; Columbia Rifles, Capt. Joseph M. Barr, 100 men; Wilmington Rifles, Capt. R. Milligan, 30 men; Middletown Company, Capt. Frank Barr, 80 men; Brandywine Company, Capt. C. Febiger, 50 men; New Castle Company, Capt. Tybout, 60 men; Mill Creek Hundred Company, Capt. P. Wilson, 65 men; Christians Hundred Company, 80 men.

the Central Church, on the "Trial of our Country." At the Second Baptist Church, Rev. James S. Dickerson, preached a sermon on "God's dealings with Nations." In the Hanover Church, Rev. Mr. Aikman preached a discourse on "Reverence for Law the only hope of a State." In St. Peter's R. C. Church, Rev. Mr. O'Brien in his discourse urged his congregation to sustain the government and uphold its free institutions in the present crisis of the country's history. At the conclusion of the services John F. Miller played on the organ the "Star Spangled Banner." Rev. Mr. Condron delivered a sermon in the Wilmington Institute to a large number of the Delaware regiment. On the 18th of May a beautiful flag was raised on St. Mary's College. On Sunday, the 19th, Asbury M. E. Church contributed thirty-four dollars to purchase blankets for the soldiers. At the same time St. Paul's M. E. Church, Rev. Mr. Murphy pastor, contributed sixty dollars for the same purpose. St. Mary's R. C. Church, Rev. Mr. Beilley pastor, also contributed forty-four dollars, which was handed to Mrs. Lee, Mrs. Canby and Mrs. La Motte. The ceremonies at the Central Presbyterian Church, on the morning of the 4th of July, were attended by Company A, Captain Sturgis, fifty-two men; City Guards, Captain Andrews, sixty-five men; Company B, Captain Wisdom, fifty-two men; Brandywine Guards, Captain Febiger, fifty-two men. The whole, under command of Captain Febiger, arrived in front of the church at 10.30, and having stacked their arms in the street, entered the church and filled the middle block of pews.

¹ About the same time A. Staats called for volunteers to form a company, to be known as the "Old Delaware Guard."

Becoming impatient to enter the service, Captain Thomas A. Smith's company left Wilmington on the 30th of April for Philadelphia, where it was mustered into service on the 7th of May, in the Twenty-fourth Regiment Pennsylvania Volunteers, commanded by Colonel Owens, with the following officers: Captain, Thos. A. Smith; First Lieutenant, Francis McCloskey; Second Lieutenant, Neal Ward; First Sergeant, Michael Kirwin; Second Sergeant, Daniel O'Neal; Third Sergeant, Daniel Meaney; Fourth Sergeant, Wm. Murphey; First Corporal, Christopher Bechtie; Second Corporal, David Smith; Third Corporal, John Cumming; Fourth Corporal, James Rickards.

This company was the first to leave the State for the front and the first to return. After serving out the three months' term of enlistment, it returned to Wilmington on July 30th, and received a hearty welcome. The command to which it had belonged was attached to General Patterson's division on the Upper Potomac River.

In the latter part of April the McLane Rifles were organized in Wilmington, with the following officers: Captain, R. Milligan; First Lieutenant, Benjamin Nields; Second Lieutenant, L. E. Wales; First Sergeant, J. Crozier; Second Sergeant, J. B. Tanner; Third Sergeant, W. W. Simmons; Fourth Sergeant, A. Gawthrop; First Corporal, C. B. Tanner, Second Corporal, R. Wisdom; Third Corporal, G. B. Roberts; Fourth Corporal, Fred. Sturges. This company was sworn into service on May 6, 1861.

Outside of Wilmington the excitement continued unabated, and at the various recruiting stations volunteers flocked to be enrolled in the various companies which were being organized. To stimulate the enlistments Hon. S. M. Harrington and Hume Jenkins each contributed \$1000 towards purchasing the uniforms of Captain Green's company that was organizing in Camden and others pledged themselves to support the families of the soldiers during their absence from home. The Red Lion Mounted Guards was formed in Red Lion Hundred on the 27th of April, for home protection, with the following officers: Captain, John Jefferson Henry; First Lieutenant, Wm. M. Stuckert; Second Lieutenant, Charles Corbit; First Sergeant, Robert White; First Corporal, Wm. Beck. The field of operations of this company embraced New Castle County.

Early in May the "Union Home Guard" was formed at Newport, the citizens of that town aiding in equipping it. A company from Georgetown, Sussex County, arrived in Wilmington on the 9th of May. It was commanded by Captain C. Rodney Layton; First Lieutenant, David W. Maull; Second Lieutenant, Wm. Y. Swiggett. The "Dover Home Guards" were organized on the 9th of May, by the election of the following officers: Captain, Dr. Isaac Jump; First Lieutenant, Wm. Walker; Second Lieutenant, Dr. C. A. Cowgill; First Sergeant, J. R. Sweeney; Second Sergeant, Charles M. Justice; Third Sergeant, A. B. Richardson; Fourth Sergeant, Draper

A. Dewees; First Corporal, John Costen; Second Corporal, Samuel McGonigal; Third Corporal, Luff Lewis; Fourth Corporal, Wm. Smallwood; Ensign, John W. Smith. The company had an enrollment of one hundred and ten men. It was mustered into service as Company "G," on May 16, 1861. About the same time the "Felton Home Guards" were organized with the following officers: Captain, Thomas Draper; First Lieutenant, Richard B. Duncan; Second Lieutenant, Daniel La Motte, Jr.; Third Lieutenant, John J. Toner; Fourth Lieutenant, J. E. Bailey; Surgeon, Joseph Simpson.

The "Governor's Guard," at Bridgeville and Greenwood, numbering one hundred men, organized in May by the election of the following officers: Captain, W. O. Redden; First Lieutenant, Dr. Lawrence M. Cahill; Second Lieutenant, Simeon Penewell; First Sergeant, Wm. S. Cannon; Second Sergeant, James P. Carpenter; Third Sergeant, George Perkinpine; Fourth Sergeant, Dr. H. Clay Johnson; Fifth Sergeant, John M. Manlove; First Corporal, John E. Sudler; Second Corporal, John Heryes; Third Corporal, John Satterfield; Fourth Corporal, Wm. E. Carpenter.

Company H, the second company from Dover, Captain S. H. Jenkins, was mustered into service on May 16, 1861. The Smyrna Home Guards, with sixty-four muskets, were mustered in about the same time as were the Magnolia Home Guards with the following officers: Captain, Edward Stout; First Lieutenant, Mordecai Rickey, Jr.; Second Lieutenant, Wm. McGonigal.

The work of swearing troops into the United States service was commenced at Wilmington, May 2, 1861, the oath being administered by Major Ruff, of the regular army. Dr. R. P. Johnson acted as medical examiner. The aggregate number of men thus sworn that day was three hundred and thirty-eight, all of whom were mustered into the service of the Union. These companies were raised at and near Wilmington and became Companies A, B, and C, of the First Regiment Delaware Volunteer Infantry.

On the 4th of May Capt. James Green's company, consisting of seventy-eight men, from the lower part of Kent County, was mustered into the service as Company D of the same regiment.

The Sussex County volunteers, Capt. C. Rodney Layton, were mustered into the same regiment on the 16th of May, as Company G. Capt. J. H. Jenkins' company from Dover, Kent County, was mustered in on the same day as Company H. On the 20th Company I, commanded by Captain Leonard, and Company K, under the command of Captain George F. Smith, were mustered into service, thus completing the organization of the regiment.

The regiment was encamped at Camp Brandywine, on the grounds of the Agricultural Society, about one mile and a half from the city, where the members were constantly exercised in company and regimental drill. On the 22d of May the commissioned

officers assembled and elected the following regimental officers: Colonel Henry H. Lockwood, Lieutenant-Colonel John W. Andrews, Major Henry A. Dupont. The Governor appointed Dr. Robert P. Johnson surgeon of the regiment, and James M. Knight assistant surgeon. Wm. P. Seville was adjutant, W. Hill Alderdice quartermaster, Chaplain Rev. George M. Condron, Sergeant-Major John G. Saville.

On the 11th of May, 1861, the Governor appointed and commissioned Henry Du Pont, of New Castle County, "Major-General of the forces raised and to be raised in the State of Delaware," vesting him with the full power of that office. Col. Jesse Sharpe was appointed brigadier-general.

On the same date Governor Burton, yielding to the entreaties of Union men, who feared that some of the Home Guards might not prove loyal, issued General Order No. 2, which was intended to prevent a possible misuse of the arms of the State. This order, however, met with so much opposition and was regarded by many as such a direct subversion of the rights of the State, that the Governor was prevailed on to rescind the first order. This he did by issuing General Order No. 3, from his office, at Dover, May 14, 1861, as follows:

"Whereas I, William Burton, commander-in-chief of the Army and Militia of this State, on the 11th day of May, last, did issue my order, being No. 2, in the words following, to wit:—The arms and accoutrements belonging to the State, and now in possession of any military organization or company in this State, other than those companies mustered into the service of the United States, will, under the direction of Major-General Du Pont, be immediately delivered to such persons and at such points as the Major-General may conformably to law direct, to this end an accurate inventory will be immediately made out and transmitted to the Major-General by the commanders of all and every volunteer organization now existing in this State who may have such arms and accoutrements in possession. Major-General Du Pont is charged with the execution of this order, and a strict compliance with it is earnestly enjoined and confidently expected; and whereas as it seems meet and right so to do, now therefore, I, William Burton, Governor of the State of Delaware, and as commander-in-chief of the army of this State, do hereby countermand, revoke and declare null and void said orders issued by me as aforesaid.

"And I do hereby order and direct that the arms and accoutrements delivered to the different volunteer companies by my order, and not by me recalled, be and remain in the possession of and for the use of said companies until further orders from me.

"WILLIAM BURTON,
"Governor and Commander-in-chief."

Realizing the fact that the State was liable to incursions from the enemy, the organization of the Home Guards was actively prosecuted until most of the hundreds had men in military training. Of these Major-General Du Pont took command, and issued the following orders pertaining to them:

"HEADQUARTERS DELAWARE VOLUNTEER MILITIA, }
WILMINGTON, July 12, 1861."

"General Order No. 1.

"The commanders of all companies organized under the Volunteer Law, and all other persons having in their possession arms and accoutrements belonging to the State of Delaware, are hereby required to report by letter to the Major-General without delay, the number and description of said arms and accoutrements, the title of the Company holding the same, the Hundred and County in which it is organized and the number of men it musters for regular drill.

"By order of

"MAJOR-GENERAL DU PONT.

"ALF. R. WOOTEN, *Aid-de-Camp*."

"HEADQUARTERS DELAWARE VOLUNTEER MILITIA, }
WILMINGTON, July 12, 1861."

"General Order No. 2.

"The following Companies formed under the Volunteer Law will

constitute the First Regiment of Delaware Volunteer Militia, viz.: Delaware Guards, Capt. McClintock; Wilmington Home Guards, Capt. Sturgle; City Guards, Capt. Andrews; Union Guards, Capt. Wisdom; Brandywine Village Guards, Capt. Febiger; Wilmington City Guards, Capt. Riddle; Brandywine Home Guards, Co. A, Capt. L. Du Pont; Brandywine Home Guards, Co. B, Capt. C. I. Du Pont, Jr.; First Troop Delaware Light Dragoons, Lieut. Gemmill."

The arms for this regiment were furnished by the City Council of Wilmington, Mayor Gilpin reporting to that body, August 6, 1861, that he had supplied six hundred and thirty-six muskets, which had been purchased out of the eight thousand dollars appropriated for the defense of the city.

On the 23d of May, 1861, Governor Burton issued a second proclamation reciting that the requisition of the President for a regiment of three months' men had been met, but as the State was now called on to furnish another regiment for a period of three years, unless sooner discharged, he recommended that the work of organization be continued and advised that the army of the United States be sustained by volunteers from Delaware, who should report themselves to Captain H. W. Wharton, of the United States army, at Wilmington, who was fully empowered to muster them into the service of the United States for the period required. This led to the organization of the Second and other Delaware regiments, whose history is given in the following pages. The Delaware troops now became an inseparable part of the Federal forces.

Late in April Lieutenant-General Winfield Scott appointed Major-General Robert Patterson to the command of the Military Department of Washington, which included the District of Columbia, Maryland, Delaware and Pennsylvania. General Patterson was instructed to post the Pennsylvania and Delaware volunteers, as fast as they were mustered into service, all along the railroad from Wilmington to Washington, in sufficient numbers and in such proximity as would give reasonable protection to the lines of parallel wires to the road, its rails, bridges, cars and stations. On the 13th of May the repairs to the bridges on the road were completed, and two passenger trains passed through from Philadelphia to Baltimore without delay.

On the 28th of May, Companies A, B, D and E, Captains Robert S. La Motte, Charles E. La Motte, James Green and R. B. Milligan, of the Delaware Regiment, stationed at Camp Brandywine,¹ near Wil-

¹ The following was the routine of duty at the soldiers' camp near Wilmington:

"HEADQUARTERS 1st REGT. DEL. VOL., }
"CAMP BRANDYWINE, JUNE 2, 1861.
"General Order No. 1.

"The following detail of duties will govern the camp from this date:
"1st. Reveille at 5 A.M., when the companies will be assembled on the Company's parade by 1st Sergeants under the Company Officers.

"2d. Police call at 6 A.M., when the camp will be carefully policed.
"3d. Breakfast roll-call at 7 A.M., when the Companies will be formed by 1st sergeants, and rolls called—afterwards the companies marched in order to their messes.

"4th. Surgeon's call at 7.30 A.M., when the sick will be marched to the Hospital tent by a corporal Guard.

"5th. 1st Sergeants' call at 7.45 A.M.

"6th. Company assembly of Guard detail at 8.15 A.M.

"7th. Adjutant's call at 8.30 A.M.

"8th. Squad drill from 9 to 10.30 A.M.

mington, received orders to march A and B to Aberdeen, near Baltimore, and D and E to Bush River, to be stationed along the line for the protection of the railroad. Instantly the camp assumed a busy aspect. Knapsacks were packed, tents struck and prepared for transportation.

All along the route of march to the depot the roads and streets were thronged with enthusiastic people of both sexes, anxious to bid them good-by and cheer them on their mission. At the depot every avenue was densely crowded with a mass of human beings, and, as the train moved off, the soldiers were greeted with cheer after cheer.

On the 9th of June the remaining companies comprising the First Delaware Regiment of Volunteers, stationed at Camp Brandywine, received orders to relieve the Eleventh Pennsylvania Regiment, stationed along the line of the Philadelphia, Wilmington and Baltimore Railroad, between Wilmington and Baltimore, the Pennsylvania Regiment having been ordered to Washington. Under the command of Colonel Lockwood and Lieutenant-Colonel Andrews, the regiment proceeded by cars to its new field of duty. Before it left the city Captain R. S. La Motte was elected major of the regiment to fill the vacancy occasioned by the resignation of Major Henry Du Pont, Jr., who had entered the United States service.²

Evan S. Watson was chosen captain of Company A to fill the vacancy occasioned by the election of Captain La Motte as major, and Sergeant Ezekiel C. Alexander was elected first lieutenant in place of Watson, promoted to captain.

The companies were stationed along the railroad as follows: Company G at Elkton, Md., Company C at North East; Companies C and H at Perryville; Companies F and I at Havre de Grace. Regimental headquarters were established at Havre de Grace, whither Companies A and B were ordered after a short stay at Aberdeen.

Companies A, B, C, D and E, of the regiment, returned to Wilmington on August 3d, their term of service having expired, and were paid off and mustered out. They were commanded by Lieutenant-Colonel Andrews.

Companies G, H, I and K returned home on the 14th, and on the following day were also mustered out of service.

Three years' regiments were now organized in the State, and most of the officers and men of old First Delaware Volunteers re-enlisted in the new regi-

"9th. Dinner roll-call at 12 M.

"10th. Officers' drill from 1 to 2 P.M.

"11th. Company drill from 3.30 to 5 P.M.

"12th. First dress parade call at 5.50 P.M.

"13th. Adjutant's call at 6 P.M.

"14th. Supper immediately after parade.

"15th. First tattoo call at 9.15 P.M.

"16th. Beat off at 9.30 P.M.

"17th. Taps at 10 P.M.

"18th. Field music will assemble for practice from 9 to 10.30 A.M., and at such other hours as the Adjutant may direct."

² James Montgomery, private, was the first man killed belonging to the regiment, being struck by a locomotive at Elkton, Md.

ments for "three years or the war." Col. Lockwood was promoted to brigadier general of volunteers.¹

The Second Delaware (three years') Regiment was encamped at Camp Brandywine, near Wilmington. The field officers of this regiment on August 16, 1861, were: Colonel, H. H. Wharton, late captain Sixth Infantry, United States Army; Lieutenant-Colonel, W. P. Bailey; Major, R. Andrews. Staff officers—Adjutant, Samuel Canby, Jr.; Quartermaster, George Plunkett. Company officers,—Company A: Captain, D. L. Stricker; First Lieutenant, Thomas M. Wenie; Second Lieutenant, John Evans. Company B: Captain, Charles H. Christman; First Lieutenant, Theo. Geyer; Second Lieutenant, W. F. Fennimore. Company C: Captain, Benjamin Ricketts; First Lieutenant, W. A. Torbert; Second Lieutenant, John Simpers. Company D: Captain, John M. Perry; First Lieutenant, William Hembold; Second Lieutenant, A. J. Krause.

About the middle of September, 1861, the regiment was sent to Cambridge, Dorchester County, Md. In February, 1862, the First Delaware Regiment was stationed at Camp Hamilton, Fortress Monroe. On the 8th of July in the same year the citizens of Wilmington presented to the First, Second and Third Delaware Regiments beautiful flags in Institute Hall. Mayor Gilpin presided and Leonard E. Wales presented the flags in an eloquent speech. Hon. George P. Fisher received the colors in the name of the respective regiments then in the field.

The Second Regiment of Volunteer Home Guards was organized in Sussex County, and elected its field officers, in the fall of 1861, at a meeting held at Georgetown in pursuance of Order No. 4, by Major-General Du Pont. Six companies were represented, and the officers chosen were: Colonel, William O. Redden; Lieutenant-Colonel, John M. Phillips; Major, Wm. H. Stayton; Adjutant, Dr. William Marshall; Quartermaster, Elisha Holland; Surgeon, Dr. H. F. Hall; Sergeant-Major, John Hickman.

¹ His officers presented him a sword on Sept. 9, 1861, in the Institute Hall, Wilmington. General Henry Hall Lockwood was born in Kent County, Aug. 17, 1814. He entered West Point Academy in 1832, and graduating in 1836, was attached to the Second Artillery as second lieutenant. He served in the Seminole Indian War, and resigned his commission in 1837. In 1841 he was appointed Professor of Mathematics in the United States navy, and served until 1861 in this capacity. During this period, while attached to the frigate "United States," he was engaged at the capture of Monterey in 1847, serving as adjutant of a land detachment from his vessel. At the breaking out of the late Civil War he left his instructor's chair and attached himself to the First Delaware Volunteers as colonel May 26, 1861. On August 8th of the same year he was commissioned brigadier-general of volunteers, and in November commanded the expedition to the Eastern Shore of Virginia, and in January to June, 1863, was appointed to command the defense of the Lower Potomac. General Lockwood participated in the battle of Gettysburg July 1-3, 1863, and subsequently was placed in command of Harper's Ferry, afterward succeeding General Schenck, at Baltimore, as commander of the Middle Department. In 1864 he participated in the campaign before Richmond, and was also in the engagement near Hanover Court-House. He commanded the provisional troops at Baltimore in 1864, when that city was threatened with a raid by General Early. On being mustered out of the volunteer service in August, 1865, General Lockwood returned to the Naval Academy, and continued there until 1871 as Professor of Natural and Experimental Philosophy. In 1871 he was transferred to the Naval Observatory at Washington, and remained until August 14, 1876, when he was placed on the retired list. After his retirement, General Lockwood lived in Georgetown. His wife was a daughter of Chief Justice Booth, of Delaware.

The following companies in Kent County, formed under the Volunteer Militia Law, constituted the Third Regiment of Delaware Volunteer Militia in November, 1861: Dover Union Home Guards; Felton Blues; McClellan Home Guards, Smyrna; Frederica Grays; Magnolia Home Guards; Leipsic Home Guards; Continental Rifle Guards, Camden; Diamond State Guard, Milford; Delaware Home Guard, Hasletville; Mordington Mills Guard, Milford; Delaware Union Home Guard, Whitelysburg; Little Creek Home Guard, Little Creek Landing.

Notwithstanding the measures adopted to support the Union, a portion of the people of the State were not disposed to sustain, by active efforts, the hostilities in which the Federal government had now become involved. They thought that the power of the North would be insufficient to bring the Southern States back into the Union; and if they ever again became a part of it, they must come back voluntarily. Assuming this position, the views entertained under it were exceedingly various, and some possessed so great latitude as to embrace those who favored the cause of the Confederate States. To those even who honestly entertained these views, war held out no prospect but that of mutual destruction. A separation and acknowledgment of the Confederacy were regarded as the course of wisdom. Some believed that by peace and conciliation, the seceding States might finally be induced to return. The peace men in Delaware, Connecticut and all the Northern States were thus actuated, although some carried their views to an extreme. As a general fact, they were men who loved the Union, and earnestly desired its restoration. They had no antipathy to the institutions of the Southern States, and were, in a manner, devoid of every feeling of interest or anxiety on the point concerning which those who elected the Federal administration and those who organized the Confederate States had for years been at issue. War with them, as with Senator Douglas, of Illinois, "was final, inevitable dissolution."

In Delaware there were not only many citizens opposed to the war, but there were a few who heartily desired the success of the Confederate States. The Secretary of War, in his report at the session of Congress which commenced in December, 1861, says: "At the date of my last report in July, the States of Delaware, Maryland, Kentucky and Missouri were threatened with rebellion. In Delaware, the good sense and patriotism of the people have triumphed over the unholy schemes of traitors."

On the 27th of June a meeting was called at Dover of "all the citizens of the State, without regard to former party relations, opposed to civil war, and in favor of a peaceful adjustment of all questions which have distracted the country and produced its present lamentable condition." About 1500 or 1600 persons assembled on Dover Green, twelve car-loads of people coming from above Dover, and seven from below. On motion of Col. Wm. G. Whitely, the meeting was

temporarily organized by calling upon Robert W. Reynolds, of Kent County, to preside, and selecting N. W. Hickman, of Sussex, as secretary. The following committee was then appointed to recommend permanent officers: From Kent County, Dr. Henry Ridgely, William Collins, James Williams, Ambrose Broadaway, Alexander Johnson; New Castle, Gassaway Watkins, James R. Booth, John T. Enos, N. T. Boulden and William R. Lyman; Sussex County, C. F. Ruat, Ed. L. Martin, S. B. Hitch, Josiah Marvel. On motion, the meeting then adjourned till one o'clock. At that hour the meeting was convened on the Green, where a stand had been erected.

Dr. H. Ridgely, the chairman of the committee, reported the names of the following gentlemen as officers, whereupon, on motion, the report was unanimously adopted, viz., President, ex-Gov. William Temple; Vice-Presidents, from New Castle County, Rothwell Wilson, Andrew C. Gray, James Matthews, John Farson, Wm. C. Lodge, Samuel G. Chandler, Aquilla Derrickson, Thos. Jamison, Sewell C. Biggs, Benjamin Gibbs. From Kent County, John Mustard, Robert B. Jump, Manlove Hayes, Rev. Thomas B. Bradford, Henry Pratt, Dr. T. C. Rogers, Andrew J. Wright, Moses Harrington, H. B. Fiddeman, Charles Williamson. From Sussex County, Capt. Hugh Martin, Nathaniel Horsey, James Anderson, Harbeson Hickman, John W. Short, Thomas Jacobs, Doughty Collins, Stephen Green, M.D., Shephard P. Houston, William F. Jones. Secretaries: Adam E. King, New Castle County; R. M. Merriken, Kent County; Charles H. Richards, M.D., Sussex County. On motion of Mr. Whitely, the following committee of ten from each county was appointed to prepare business for the meeting: New Castle County, Dr. John Merritt, James M. Watson, Dr. N. H. Clark, Adam V. Cullin, John P. Cochran, James Delaplaine, Nathan T. Boulden, James Springer, William C. Lodge, Joseph Roberts. Kent County, John M. Voshell, Wilson T. Cannon, Dr. Gove Saulsbury, R. W. Reynolds, Alex. Johnson, William N. W. Dorsey, Edward Ridgely, George W. Anderson, Thomas Davis, William D. Fowler. Sussex County, C. R. Paynter, W. Wheatley, Noble Conaway, Isaac Giles, Nathaniel Horsey, A. J. Horsey, Dr. Joseph A. McFerran, Joseph Ellis, J. S. Bacon, N. W. Hickman.

After the committee retired, Mr. Whitely was loudly called for and made a speech in opposition to the war and in favor of a peaceful adjustment of our national difficulties. He began by observing that eleven States had gone out of the Union, which he deplored, but they were determined to go out, and had gone, acting upon the glorious principle that all government derived its power from the consent of the governed.

"They, eight millions of freemen, had resented continued aggression and intermeddling, until the election of a Republican placed the last feather upon the back of the people, and they had calmly, quietly, determinedly retired. In God's name let them go unmolested! Would Delaware give money or men to hold States as conquered provinces? or allow the seceded States to be governed by free people, in whatever manner they chose to be governed? Could the South be subjugated?

Never! All the wealth of mines and kingdoms would not restore the country to its unembarrassed condition. All expenditures were needless, as there were not men enough in the North to conquer a free people fighting for their rights, even against any odds. Who would not, therefore, favor peace now, if arms would still produce the same results? Let the tax-payers of Delaware come forth for peace, which would accomplish all that war could do."

Mr. Whitely was followed by Hon. Thomas F. Bayard in a lengthy, calm and temperate speech. He reminded his hearers that "with this secession, or revolution, or rebellion or by whatever name it may be called, the State of Delaware has naught to do. To our constitutional duties toward each and every member of this Union we have been faithful in all times. Never has a word, a thought, an act of ours been unfaithful to the union of our fathers; in letter and in spirit it has been faithfully kept by us." But he adverted to the horrors of a fratricidal war on so gigantic a scale, the ruin that would be wrought, and the danger that, whatever might be the issue, which no man then could foresee, constitutional liberty might perish in the struggle. Better, he thought, "while deeply deploring the revolution which has severed eleven States from the Union," if a peaceful accommodation was impossible, that the discontented States should be allowed to withdraw than run the awful risk of such a war. His calm and earnest eloquence had great weight, and, as will be seen, the meeting resolved "that there was no necessity for convening the Legislature."

Mr. Bayard's speech calmed down the state of excitement which prevailed at the meeting. "It brought to men's minds," as a leading Delawarean said, "the fact that they were in the Union—had no part in the rebellion, and that it was their duty to remain as they were, and to keep Delaware as one of the United States." In this, as ever, Mr. Bayard approved himself faithful to the Constitution and the Union under it, his devotion to which has never wavered, as witness his public record, from first to last.

At the conclusion of Mr. Bayard's speech, Dr. John Merritt reported the following resolutions, which were unanimously adopted:

"Resolved: 1. That whilst we deeply deplore the revolution which has severed eleven States from the Union, we prefer peace to civil war, and believe that if a reconciliation by peaceful means shall become impossible, the acknowledgment of the independence of the Confederate States is preferable to an attempt to conquer and hold them as subjugated provinces.

"2. That the reign of terror attempted to be inaugurated by the War Party, by denouncing all men as disunionists, secessionists and traitors, who are opposed to civil war, and to the palpable and gross violation of the Constitution, committed by the present administration, will not deter us from the expression of our opinion, both privately and publicly.

"3. That we believe the effect of the doctrines and measures of the War Party, if not their object and intent, under the name of preserving the Union, will be to the subversion of the State governments, and the erection of a consolidated government on the ruins of the Federal Constitution.

"Resolved: That we tender our grateful thanks to Senators Bayard and Saulsbury for the bold and patriotic stand they assumed, in the second session of the Thirty-sixth Congress, for the maintenance of the peace and prosperity of our now distracted country, and we earnestly request them to use all honorable means to bring the 'Civil War' which now hangs over us like an incubus, to a speedy close, and that if in their judgment no other mode presents itself whereby this end can be attained, to advocate the acknowledgment by the United States Government of the Independence of the Confederate States, so that peace and prosperity may be restored among us.



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1. *Journal of the American Medical Association*, 1910, 55, 1000-1001.
2. *Journal of the American Medical Association*, 1910, 55, 1001-1002.
3. *Journal of the American Medical Association*, 1910, 55, 1002-1003.
4. *Journal of the American Medical Association*, 1910, 55, 1003-1004.
5. *Journal of the American Medical Association*, 1910, 55, 1004-1005.
6. *Journal of the American Medical Association*, 1910, 55, 1005-1006.
7. *Journal of the American Medical Association*, 1910, 55, 1006-1007.
8. *Journal of the American Medical Association*, 1910, 55, 1007-1008.
9. *Journal of the American Medical Association*, 1910, 55, 1008-1009.
10. *Journal of the American Medical Association*, 1910, 55, 1009-1010.

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1. The first step is to identify the key components of the system. This includes understanding the hardware, software, and data involved.

1. The first step in the process of the school is to identify the needs of the students. This is done through a variety of methods, including surveys, interviews, and observations. The data collected is then used to develop a plan of action that addresses the specific needs of the students.

1. The first step is to identify the problem. In this case, the problem is that the company is not meeting its sales targets.



W. H. H.

Resolved: That the memorial demanding the resignation of the Hon. James A. Bayard, one of your Senators in the Senate of the United States, originated in mob spirit, and should receive from him the scorn and contempt which it merits from every honorable man.

Resolved: That in the opinion of this meeting, there is no necessity for convening the Legislature of this State."

The meeting was then further addressed by A. E. King, Edward Ridgeley, Messrs. Henderson and Paynter and Dr. Edward Worrell.

In August, Dr. Jonas, Inspector of Customs at Seaford, seized several hundred rubber overcoats and twenty compasses, which had been sent from Baltimore to be shipped South by way of Salisbury, Md. They were confiscated and sold in Wilmington in November, 1861.

The brilliant victory of the land and naval forces under General Sherman and Commodore Du Pont at Port Royal, South Carolina, on November 7th, created the greatest enthusiasm in Wilmington, where Commodore Du Pont was well known. In honor of the event, the citizens fired a national salute of twenty-one guns on the 13th of November. This was followed by a salute of one hundred guns, fired by order of the City Council. In March, 1862, the captured flags sent from the South by Commodore Du Pont for the city of Wilmington, were presented with appropriate ceremonies in the Institute Hall. Speeches were made by Messrs. Harrington and Biddle.

The intrepidity displayed by Commodore John Pritchett Gillis, of Delaware, at the bombardment of Port Royal, under the terrible fire of Fort Walker while in command of the "Seminole," was the subject of mention in General Dayton's official report.

Commodore Gillis was born in Wilmington; but while young removed temporarily with his father to the State of Illinois. His temperament was marked by an ardor united with so untiring a perseverance, that he would never permit himself to admit a defeat in his endeavors. This boyish trait was the earnest of the man, whose heart later burned with patriotic zeal at the "drum-beat of the nation."

His yearning to enter the service of his country was gratified by his receiving an appointment of midshipman in the year 1825. From the date of his youthful honors to the day his heart was stilled in death, his life was one of usefulness to his country and honor to the State which claimed him as her son.

His first cruise was in the frigate "Brandywine" to the Pacific, during the years 1826-29. In 1831 he was a passed midshipman in command of the schooner "Albion." In 1833 he was again at sea, as acting master of the frigate "Constellation," in the Mediterranean, and in 1835-36 he was executive officer of the receiving-ship "Sea Gull," at Philadelphia. On the 9th of February, 1837, he was commissioned a lieutenant, and being ordered to the sloop-of-war "Falmouth," sailed for a second cruise in the Pacific. During this cruise he was transferred to the "Delaware," ship-of-the-line, arriving home in 1840. Two years later we find him again at sea, on board the frigate "Congress," in the Mediterranean Squadron. He was transferred to

the sloop-of-war "Preble," as executive officer, and returned to the United States in 1843. The same year he was attached to the frigate "Raritan," and in 1844 he joined the frigate "Congress" on the Brazil station. In 1845 he was intrusted with the important duty of bearing despatches to the commander-in-chief of the Pacific Squadron; and in 1846 he returned home, bearing despatches from our minister in Brazil.

When war was declared with Mexico, he sailed in the sloop-of-war "Decatur," to join Commodore Perry in the Gulf Squadron. He distinguished himself in the action which resulted in the capture of the forts and town of Tuspan. Later he commanded the flotilla on the Alvarado River and became the governor of the towns of Alvarado and Tlacotalpan. During this period he fell ill of yellow fever, and was compelled to return to the United States. His regret at being forced to relinquish his command was, perhaps, softened by the handsome letters sent him by Commodore Perry and the Secretary of the Navy. From 1851 to 1854 he was again at sea, in the Japan Expedition. In 1855 he was promoted to a commander, and was ordered to the steamer "Powhatan."

In 1861, when the nation was startled by the great Rebellion, and the guns of Fort Moultrie opened on the heroic Major Anderson in Fort Sumter, Commander Gillis sailed in command of the steamer "Pocahontas" for Charleston, arriving only to find that Major Anderson had been compelled to surrender. From this hour the activity of Commander Gillis was unabated. His acts of heroism on the Potomac and James Rivers, and the energy with which he sprang to the succor of his country, brought him prominently into notice. Surely the day-dreams of the boy were being fully realized! Under the most galling fire of the enemy he was ever cool and self-possessed. While commanding the "Seminole" at Port Royal, under the terrible fire of Fort Walker, Commander Gillis was the subject of mention in General Drayton's report. His well-earned promotion to post-captain occurred in 1862, and he took command of the steam-sloop "Ossipee," with the view of going in search of the rebel cruiser "Alabama." Unfortunately, the engines of his ship were found to be defective, and the enterprise was abandoned.

Captain Gillis then proceeded to join Admiral Farragut, in the West Gulf Squadron. During this service, duty carried him to Mobile, as well as to the coast of Texas, and in consequence of the exposure he had borne he became ill, and a medical board of survey condemned him, and he was sent home and placed on the retired list. In 1866 he was promoted to a commodore. In 1873 he was on duty at the Naval Asylum, Philadelphia, and apparently in his usual state of health; but, on visiting his home in Wilmington, intending to return the following morning, he was suddenly taken ill, and on the 25th day of February, 1873, he departed from the scene of a well-spent life. He left a widow (who was Miss Elizabeth Tatnall), and two sons.



Robert H. Clark.

In October, 1861, the Presbytery of Wilmington, in Middletown, adopted a series of patriotic resolutions in favor of the government and the prosecution of the war. About the same time, at the request of Hon. Montgomery Blair, Postmaster-General, A. H. Grimshaw, postmaster at Wilmington, recommended the ladies of that city and vicinity to form societies for the purpose of co-operating with the members of the Sanitary Commission, at Washington, in their efforts to alleviate the sufferings of the sick and wounded soldiers. In accordance with this request, sewing circles were formed in each church, and an immense number of articles of clothing, blankets and food supplies, necessary for the sick, were forwarded to the armies.

In April the friends of Commodore Du Pont on the Brandywine presented him with a beautiful sword.

Another son of Delaware, who performed gallant and meritorious service in the United States Navy, during the great Civil War, was Dr. Robert Hill Clark, Paymaster of the United States Navy. He was the son of Thomas Clark and Eliza Hill, daughter of the late Colonel Robert Hill, and was born at Frederica, Del., December 5, 1818. At the age of fourteen he was sent to Milford to attend the academy, where he acquired his preparatory education. From 1836 to 1840 he was a clerk in a hardware store in Philadelphia. He then returned to Delaware and during the three succeeding years was a merchant at Vernon, Kent County. In 1844 he began the study of medicine, entered the Medical Department of the University of the City of New York, and was graduated in 1846. Returning to Milford, he commenced the practice of medicine in partnership with his uncle, Dr. William Burton, where he remained, engaged in the duties of his profession until July 18, 1857, when he obtained a commission as Purser in the United States Navy. He was made Paymaster June 22, 1860; promoted to Pay Inspector March 3, 1871; promoted to Pay Director January 23, 1873, and was retired December 5, 1880, with the rank of Commodore.

His first duty was on the steamship "Fulton," in the Paraguay expedition, and he was next transferred to the steamship "Iroquois," on the Mediterranean station. While there the Rebellion began; his vessel was ordered to New York and sent on blockade duty off Savannah, Georgia, and from thence was directed to cruise through the West Indies in search of the Confederate steamship "Sumter." This war-vessel was found by the "Iroquois" at the port of St. Pierre, on the Island of Martinique. The rules of international law would not allow her to be captured within the port, and the French government, owner of the island, ordered the "Iroquois" either to come to an anchor or go out one marine league from shore. She chose the latter, but despite a careful watch of several days the "Sumter," through the darkness of a foggy night, escaped.

The "Iroquois," on which Paymaster Clark was

still stationed, was now ordered to join the squadron of Admiral Farragut, to prepare for the attack on New Orleans; was present at the capture of Forts Jackson and St. Philip, and at the battle of Fort Chalmette, immediately below New Orleans. During these severe engagements Paymaster Clark did praiseworthy service as physician and surgeon in relieving the sufferings of the wounded and dying.

After the evacuation of New Orleans the "Iroquois" and the steamer "Mississippi" were sent down the river to assist and protect the smaller Union vessels. She next went up the river, and assisted in the capture of Baton Rouge and Natchez. She passed the batteries at Vicksburg, June 28, 1862, and also on July 16, 1862, on the return to New Orleans. From thence the "Iroquois" was ordered to New York and put out of commission.

In December, 1862, Paymaster Clark was ordered to Pensacola Navy-Yard, in charge of the West Gulf squadron, and remained on duty there till the close of the war. His next term of duty was at Boston, as paymaster from 1865 to 1868. He then received orders to accompany the South Pacific squadron as fleet-paymaster. Joining the United States ship "Powhatan" and returning to New York in September, 1869, he was sent on the same ship as fleet-paymaster of the East Gulf squadron. In January, 1870, the "Powhatan" went out of commission at Philadelphia. On May 1, 1870, he was made inspector of clothing and provisions at the Philadelphia Navy-Yard, continuing until 1873, when he became paymaster at the United States Naval Asylum, remaining until 1875.

In February, 1877, he was again ordered to the Philadelphia Navy-Yard as inspector of provisions and clothing, continuing in that position until September 1, 1879.

On December 5, 1880, he was retired under the act of Congress, having attained the age of sixty-two years. He returned to Milford, which he always recognized as his home since the time he first came to it as a school-boy. In all Paymaster Clark was twenty-three years in active service, filling all the positions of responsibility and trust assigned to him with eminent satisfaction to his superiors, being distinguished for the marked accuracy, ability and fidelity with which he discharged his official duties.

December 4, 1848, he married Eliza P. Cubbage, of Kent County, Delaware. Three children were born of this union, all dying in childhood.

Both he and his wife were communicants of the Methodist Episcopal Church at Milford.

In 1842 he was made a Mason in Temple Lodge No. 9, at Milford.

After spending seven years in the quietude of his home, surrounded with every comfort, he was stricken with paralysis December 17, 1887, and died from its effects three days later.

He was a man of remarkable business tact and energy, quick of apprehension, sound in judgment,



18

1990-1991: 100% (100%)

The American people, in
 the year 1860, contributed
 \$1,000,000 to the American
 Society for the Propagation
 of the Gospel, and the
 American Board of Christian-
 ity and Foreign Missions.
 The American Society for
 the Propagation of the
 Gospel, and the American
 Board of Christianity and
 Foreign Missions, are the
 two largest societies for
 the propagation of the
 Gospel in the world. Their efforts
 have been successful in
 establishing churches and
 schools in every part of
 the world, and an immense
 number of converts and
 churches have been
 added to the Christian
 Church.

[illegible][illegible][illegible][illegible]

A vessel was chartered at New Orleans to take the steamer "Mississippian" up the Mississippi river to assist and protect the shipment of cotton from New Orleans to the river, and to assist in the fire of Baton Rouge, and at Natchez, and in the capture of Vicksburg, June 22, 1862, and July 10, 1862, on the route to New Orleans, and thence to Louisiana. It was ordered to New Orleans for outfit of commission.

[illegible]

In 1870, at age 71, he was elected to the 18th Congress, New York as an Independent, contributing to the cause of reform in 1872.

On February 19, 1954, he was one of the first to give testimony in court against the communists in the Young People's League. He was named in the National Security Council's "Harris Report" for his role in setting up the Young People's League in 1942, the year of active Soviet infiltration of the Communist Party in the United States. He was named in the report with approval for his role in the "Harris Case" and for his "loyalty and activity with which he discharged his duties."

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$\frac{1}{2} \frac{d}{dt} \int_{\mathbb{R}^n} |u|^2 dx = \int_{\mathbb{R}^n} u \frac{du}{dt} dx = \int_{\mathbb{R}^n} u \nabla \cdot (u \nabla u) dx = - \int_{\mathbb{R}^n} |\nabla u|^2 dx$

Let us now consider a N -
 Neumann problem.

[illegible]



Robert H. Clark.

firm in his convictions and devoted and faithful in all his domestic relations. He was large of stature, and dignified and courtly in bearing, a man of inflexible honesty and spotless integrity.

At the breaking out of the war many mechanics were thrown out of employment, and general stagnation prevailed in all branches of business. This did not however, continue very long, for when the government began active operations there was great necessity for all kinds of manufactured articles. This demand gave employment to a great many manufacturers in Wilmington, and mechanics were in great demand. Among the first government contracts given to Wilmington was one for building the steam boilers, engines and machinery for the United States sloop-of-war "Juniata," then being constructed at the Philadelphia Navy-Yard. It was awarded in September, 1861, to Messrs. Pusey, Jones & Co., and amounted to about \$100,000.

The immense demands that the war occasioned upon the ship yards of Wilmington gave full employment to them, and the heavy and urgent requisitions of the government were met with a corresponding energy of production. The largest orders were filled with a promptness and fidelity which elicited the special thanks of the departments and the praise of the officers to whom the work was delivered. Among the first vessels sold to the government, of Wilmington manufacture, was the side-wheel steamer "Delaware," built by Messrs. Harlan, Hollingsworth & Co. This enterprising firm built some of the most historic gunboats and monitors mentioned in our naval history. Among them may be mentioned the monitor "Patapsco," "Saugus," "Napa" and others.

James H. Deputy, ship-builder at Milford, also sold one or more gunboats to the government. The United States steamer "Mingo" was built at the ship-yard of D. S. Mershon.¹

Government army wagons were built for the government by Messrs. Flagler & Woolman, tent-poles were made by Messrs. Wright & Allen, and Henry S. McComb had large contracts for furnishing knapsacks, stocks and other army and navy supplies.²

¹John D. Benton, of Wilmington, manufactured for a number of builders of iron vessels a model of the original "Monitor," made out of pure gold. It was 25 inches long, 5½ inches wide and 1¾ inches deep. It had a revolving turret with guns, a smoke-pipe, binnacle, steam-whistle, machinery, &c. The machinery which turned the turret also played an organ with fourteen tunes. The model cost seven thousand dollars, and was presented to Captain John Ericsson, the inventor of the "Monitor."

²The Union men of Cedar Neck, Sussex County, in August, 1861, organized a "Home Guard" with the following officers: Captain, R. H. Davis; First Lieutenant, Henry B. Spence; Second Lieutenant, James Reed. In September the patriotic citizens of Lewes raised the stars and stripes amid the discharge of cannon, the beating of drums &c. Addresses were made by Messrs. H. F. Rodney, S. Adams and L. Waples. In October the ladies of the upper part of Christiana Hundred were busily engaged in preparing underclothing and other supplies for the soldiers. A ladies' soldiers' aid society, composed of the leading ladies of Camden, Delaware, was formed in November, 1861. The ladies of Pencader Hundred in January, 1862, sent a sum of money and many necessary articles to the members of the Second Delaware Regiment. The ladies of Magnolia, Kent County, about the same time sent many useful articles to the sick and wounded soldiers. A Ladies' Aid Society was formed October 19th, by the ladies of Mill Creek and Christiana Hundred, at the request of the United States Sanitary Commission, and did good work, furnishing aid and comforting the sick and wounded soldiers. The Ladies' Soldiers' Aid Society of Middletown forwarded many useful articles to the First

Governor Burton called the members of the General Assembly to convene in special session on Monday, the 25th of November, 1861, for the purpose of taking proper action in reference to the collection and payment of Delaware's portion of the assessment levied by Congress upon the several States of the Union for war purposes. The Governor in his message to this body said:

"Our citizens have acted in a manner highly creditable to them, and well deserve the quiet they have enjoyed. Those, if there be any, and doubtless there are some everywhere, whose sympathies incline to the South, are quiescent, laying no impediments in the way of the Government, nor affording its enemies any sort of aid. Some of the innumerable rumors afloat throughout the country may, perhaps, represent a different state of things; but were the test of truth properly applied to these reports, most of them would be found wholly unreliable."

Besides appropriating \$74,681, the direct tax apportionment assessed upon the State by the general government, a movement was made at this session to pass a bill, providing for the ultimate abolition of slavery within the State. The scheme was based upon the payment by the United States of a certain sum to establish a fund towards securing full and fair compensation to the owners. It was not, however, successful.³

Delaware Regiment early in 1862. The patriotic citizens of South Milford raised a large pole and flag in April, 1862. Speeches were made by Dr. W. C. Davidson and Charles P. Masten. The ladies of Delaware City also forwarded many comforts and dainties to the sick and wounded soldiers in May, 1862. The Union men of Ogletown raised a large flag the 21st of June, 1862. The meeting was addressed by S. M. Harrington, Jr.

A large and enthusiastic Union meeting was held at Dover, June 24, 1862, which was addressed by Messrs. N. B. Smithers, Edwin Wilmer, Wm. P. Lord, N. B. Knight, James R. Lofland and C. H. B. Day.

On July 22, 1862, the citizens of Sussex County had a grand Union demonstration at Georgetown, where addresses were delivered by Hon. George P. Fisher, N. B. Smithers, Jacob Moore and Hon. C. S. Layton.

A large and successful festival was held at Summit Bridge on October 1, 1862. The object was to procure funds for the relief of the sick and wounded soldiers. Addresses were made by N. B. Smithers, E. G. Bradford and Rev. E. J. Way.

One of the largest and most enthusiastic meetings ever held at Middletown came off on the 24th of October, 1862. Speeches were delivered by Hon. George P. Fisher, Philip S. White, of Philadelphia, N. B. Smithers, Edward G. Bradford and Edward Wilmer. Resolutions strongly in favor of the Union were adopted.

There was a great Union meeting at Dover, June 9, 1863, at which speeches were made by James M. Seavel, of New Jersey; Hon. David Dudley Field, of New York; Hon. Henry Winter Davis, of Maryland; Hon. Judge Bond, of Baltimore; and Major-General Schenck, commander of the Middle Department, United States Army.

³On the first Monday in November, 1861, Hon. George P. Fisher, then a member of Congress from Delaware, received a dispatch from Montgomery Blair, stating that President Lincoln desired his immediate presence in Washington. Judge Fisher did not know what was desired of him, but after some thought concluded it was in relation to the slaves in the State. He replied that he would be in Washington in a few days. The Legislature was to meet the next day, and upon its adjournment on Wednesday Judge Fisher went to Washington, and called on the President. He felt certain of the object of the summons by this time, and opened the conference by saying: "I suppose you want to see me about the slaves in Delaware?" The following dialogue then ensued:

President Lincoln—"That is it exactly."

Judge Fisher—"How much are you willing to give if I could procure the passage of a law by our Legislature to emancipate the slaves, and what proposition have you to make?"

President Lincoln—"How many slaves have you?"

Judge Fisher—"Seventeen hundred and ninety-eight, or say an even eighteen hundred."

President Lincoln—"To emancipate your slaves I will give, by instalments for ten years, three hundred dollars per head for the men, women and children, young, old and decrepit."

Judge Fisher desired more than this, and replied: "We must have five hundred dollars for each one."

The President, after a while, agreed to give this. Judge Fisher's object in striking the best bargain he could, was to procure to each slaveholder for his slave the compensation according to his value in this State, and the surplus between the real value and the five-hundred-dollar payment to be made by the United States to be appropriated to public im-

The second session of the Thirty-seventh Congress convened at Washington on the 2d of December, 1861. The State was represented in the Senate by Hon. James A. Bayard and Willard Saulsbury, in the House by Hon. George P. Fisher. In the Senate, on the 4th of December, Mr. Saulsbury offered the following joint resolution proposing a conference for the settlement of the existing national difficulties. This was the only proposition made at this session which contemplated a peaceful adjustment of the difficulties between the North and South. It was publicly declared in South Carolina that "more was to be feared from this proposition than from all the armies of the North:"

"WHEREAS, the people of the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas and Tennessee are in revolt against the constitutional Government and authority of the United States and have assumed to secede from the Federal Union, and to form an independent government under the name of the Confederate States of America; AND WHEREAS the Congress of the United States, approving the sentiment expressed by the President in his annual message, 'that the Union must be preserved, and hence all indispensable means must be employed,' and believing that kind and fraternal feeling between the people of all the States is indispensable to the maintenance of a happy and prosperous Union, and being willing to manifest such feelings on their part, to the end that peace may be restored to a distracted country, and the Union and Constitution be preserved and maintained; and inviting the co-operation of the people of the aforesaid States in the accomplishment of objects so beneficial to each and all, do resolve as follows:

"Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That Millard Fillmore, Franklin Pierce, Roger B. Taney, Edward Everett, George M. Dallas, Thomas Ewing, Horace Binney, Reverdy Johnson, John J. Crittenden, George E. Pugh and Richard W. Thompson be, and they are hereby appointed commissioners on the part of Congress, to confer with a like number of commissioners to be appointed by the States aforesaid, for the preservation of the Union and the maintenance of the Constitution, and that they report the result of their said conference to Congress for approval or rejection.

"Resolved, That upon the appointment of commissioners, as hereby invited, by said States, and upon the meeting of the joint commission for the purpose of conference as aforesaid, active hostilities shall cease

improvements and education. A long conversation ensued, in which the President assured Judge Fisher that a bill could be passed through Congress upon the basis indicated, and that Owen Lovejoy, of Illinois, in the House, and Charles Sumner, in the Senate, would be its champions, and all that Judge Fisher would have to do would be to attend to the matter at the Delaware end of the line, as he would attend to it at Washington. He then put Judge Fisher in communication with Thomas A. Scott, who was at that time Assistant Secretary of War, they having previously agreed upon the provisions to be incorporated in the bill, and it was prepared by Judge Fisher and the Hon. N. B. Smithers. They were that the emancipation of the slaves was to be accomplished in ten years, for which the government of the United States was to pay to the State of Delaware nine hundred thousand dollars,—ninety thousand dollars each year. After seeing General Scott, Judge Fisher came directly home, at the instance of the President, to feel the pulse of the State in regard to the matter, and almost everybody to whom he mentioned the subject was in favor of it. A caucus of the friends of the measure was held, including a number of the members of the Legislature, N. B. Smithers, Benjamin Burton, William Ellegood, Jacob Moore, Hiram W. Short and James R. Lofland. The conference was held in Mr. Smithers' house, and the object was to ascertain whether it would be possible to make arrangements for the passing of the measure, their intention being not to introduce it until they were assured of its passage through both Houses. The Democrats had a majority in the House of Representatives and in the Senate. Agents were employed to ascertain whether the bill could be passed, and to make proper efforts to pass it. Two members of the Democratic party in the House declared themselves in favor of the bill, and two members of the same party in the Senate. The Senate was secured and ten in the House, but it was not offered for the reason that one man, and the only man in the entire body who had been elected as a distinctively Lincoln man, could not be induced to say he would support the bill.

President Lincoln's idea in having the bill passed was to carry out one of his favorite ideas—to bring the Rebellion to a peaceful close. If the scheme had succeeded in Delaware, Maryland was to be tried next, and each of the border States, until slavery was abolished in them, and then it was thought the slave States would fall in line and agree to similar bills.

and be suspended, and shall not be renewed unless said commission shall be unable to agree, or in case of an agreement by them, said agreement shall be rejected either by Congress or by the aforesaid States."

Mr. Sumner, of Massachusetts, objected to the reception of the resolutions, but they were, however, received and laid on the table.

The first proclamation of the President, ordering seventy-five thousand men into the field on April 14, 1861, for three months, was followed by another on May 3d, calling into service forty-two thousand and thirty-four volunteers for three years. By an act of Congress of July 22d the States were asked to furnish five hundred thousand volunteers, to serve for three years or during the war.

The enlistment and organization of troops were entered upon with great activity and warm popular approbation during the ensuing three months, when it was restricted. Many circumstances aided the enlistment. The cause of the Union was approved, a general stagnation or inactivity pervaded all industrial pursuits, and multitudes were partially or wholly unemployed, and the wages offered to the soldier were extremely liberal. The pay offered privates by the United States was thirteen dollars per month, and a bounty of one hundred acres of land at the close of the war. In addition, many of the States gave to each married citizen volunteer about one dollar per week for his wife, and in proportion for each child of his family between certain ages. Where such a sum was not given to the family of the private by the State, it was in numerous instances bestowed by the city or town in which he lived. The pay of officers was on an equally liberal scale, and civilians in profitable social positions, as well as those in no position, aspired in the rawest state to obtain the rank of officers. Too many unworthy persons were successful. It cost the government millions, and required the efforts of all the military skill in the country to bring the accumulated mass up to the discipline and order of an approved army. On the 1st of December, 1861, the number of soldiers Delaware had in the field was estimated by the War Department at two thousand.

On the 5th of August, 1862, Governor Burton was notified that a draft of three hundred thousand men would immediately be called into the service of the United States, to serve for nine months, unless sooner discharged, and that a special draft would also be made to fill the quota for the three hundred thousand volunteers, which had not yet been supplied. The State having no provision for calling out the militia, the Governor was instructed to appoint officers to make out the rolls of men subject to the draft at the expense of the general government. Under the first call the quota of Delaware was one thousand seven hundred and twenty men, and a like number under the second, making a total of three thousand four hundred and forty men. Deducting the enrollment of Colonel Grimshaw's Fourth Regiment, and of Captain Nield's battery, at that time forming, the State

was called on to supply two thousand two hundred and ninety men. Under the existing state of affairs, this was a large number to place in the field within the allotted time, the draft having been ordered for September 1, 1862. The Governor succeeded in securing an extension of time until the 25th of September, and the enrollment of men was pushed with all possible dispatch. The bounty fund of these volunteers was increased by the act of the Philadelphia, Wilmington and Baltimore Railroad Company, which appropriated three thousand dollars in August, 1862, the States of Pennsylvania and Maryland receiving equal amounts. The Levy Court of New Castle County was urged to appropriate fifty thousand dollars for such a fund by one of the largest war meetings ever held in the county.¹ In Wilmington one hundred property-holders also agreed to sign bonds to indemnify the City Council for such appropriations as it might make, not exceeding fifty thousand dollars, and that body did appropriate twenty-five thousand dollars on the 12th of August, 1862, to encourage enlistments. Other municipalities in the State took similar action, and with a prospect that the State would pass a bill, equalizing the counties, volunteering was hurried forward.² Having a prospect of filling the quota with enlisted men, the Secretary of War granted the Governor a further extension from the draft until October 15, 1862, and before the expiration of that time the quota of militia had been supplied, and the draft from the State of Delaware was annulled by order of the President.

The incursions of the Confederates into Maryland caused great anxiety at Wilmington for the safety of the city, and on the 6th of September, 1862, Mayor Gilpin issued a proclamation recommending all loyal citizens to unite in forming companies for the purpose of defending the city against attacks, and that they should devote two hours each day to military duty. Arms were to be furnished, upon proper application to the authorities having them in charge.³ Under this recommendation, the "Reno Guards" were at once formed at Pusey & Scott's morocco factory. P. R. Cummins was appointed captain.

The proximity of the Du Pont Powder Works and their threatened destruction by the enemies of the Union, were matters of much concern to the people of Wilmington. A sharp lookout for suspicious characters was constantly kept, and on the evening of September 17, 1862, information was privately received by Colonel A. H. Grimshaw, of the arrival

in Wilmington of two Confederate spies, and a close watch was kept upon their movements. They, however, left the city, and repaired to the powder works of the Messrs. Du Pont, on the Brandywine, for the ostensible purpose of obtaining a plan of the works and its approaches. At 10.30 P.M., on the same night, Colonel Grimshaw, Lieutenant-Colonel Tevis, Captain Gist and Lieutenant Toner started in pursuit and overtook them at a house near the Rising Sun tavern, and made the arrest. The parties proved to be Captain O'Keefe, of the Confederate army, and his friend named Ryan. They at first stoutly denied the charge against them, but subsequently made a full confession and stated they were direct from Memphis, Tennessee, *via* Cincinnati, Ohio. They were immediately searched and large sums of money were found upon them. They were then conveyed to Camp Du Pont and kept closely guarded until the 19th of September, when they were, by order of the Secretary of War, to whom the facts were reported, sent to Fort Delaware.

The fund for the relief of the families of enlisted men was liberally maintained, amounting to \$10,051 in August, 1861; and from November of that year until February, 1863, relief was afforded to five hundred and forty-six families. This generous support was continued until the close of the war.

The First, Second and Third Delaware Regiments were engaged in the battles in Western Maryland in the campaign of 1862, and their gallant conduct reflected the highest credit on their State. The battle of Antietam was the first engagement in which some of the troops fought, and they displayed the gallantry of veterans, suffering severe loss. The Second Delaware Regiment in the battle of Antietam acted with the greatest bravery and daring. In their charge they captured the colors of the Sixteenth Mississippi Confederate Regiment. The loss of the Second Delaware was seventy killed and wounded out of three hundred and fifty men taken into action. The bodies of Captains Watson and Rickards, who were killed at Antietam, reached Wilmington September 27, 1862, and were laid in state in the City Hall until they were borne to their final resting-place in the Wilmington and Brandywine Cemetery. The procession was one of the most imposing that ever took place in the city, the stores and business places along the route of march being closed.

The First and Second Delaware Regiments took a conspicuous part in the battle of Fredericksburg. The Fourth Regiment of Delaware Volunteers left Wilmington for the seat of war on November 10, 1862. After the battle of Antietam the First Regiment was stationed at Bolivar Heights, Harper's Ferry, and then marched to Falmouth, opposite Fredericksburg, Va. Captain Neild's battery of artillery left Wilmington for Washington on December 20, 1862. As a testimonial of the appreciation of his gallant services at the battle of Antietam, Colonel J. W. Andrews, of the First Regiment Delaware Volun-

¹ The meeting was held at the City Hall, Wilmington, on August 6, 1862. Hon. John Wales presided, and he and Hon. Wm. D. Kelley, of Philadelphia, N. B. Smithers, Edward G. Bradford, Revs. James S. Dickerson and George Quigley addressed the meeting.

² Several of the Confederate soldiers, who were prisoners at Fort Delaware and expected to be sent South, took the oath of allegiance and joined the Fourth Delaware Regiment.

³ In pursuance of the proclamation of the mayor, an immense meeting of the citizens of Wilmington was held at the City Hall for the purpose of organizing into military companies, "to defend the city and State from rebellion and invasion." The meeting was addressed by Hon. John Wales, Captain H. C. Biddle, Joshua T. Heald, Rev. M. C. Frens, Thomas Roberts and Dr. Harlan. Resolutions were passed in favor of forming THE NATIONAL GUARD OF DELAWARE.

teers, was presented with a handsome sword. In June, 1863, a beautiful sword was also presented to Lieutenant-Colonel Stricker, of the Second Delaware Regiment, by his officers. In the engagements at Chancellorsville, on the Rappahannock, the First and Second Regiments lost heavily.

At the election, November 2, 1862, William Cannon, the Republican Union candidate from Bridgeville, was elected by a small majority Governor for four years. The Secretary of State, appointed by the Governor, was Nathaniel B. Smithers, of Dover. Governor Cannon received 8155 votes, and Samuel J. Jefferson, the Democratic candidate, 8044 votes. For Congress, William Temple, the Democratic candidate, had 8051 votes, and was elected; the Republican Union candidate, George P. Fisher, having only 8014. The Senate, composed of nine members, had five Democrats and four Republican Union members, and the House, which had twenty-one members, had fourteen Democrats to seven Republican Union.

The receipts into the State Treasury for the year ending January 1, 1862, were \$97,810.50, and the expenditures for the same period were \$76,414.04, of which \$38,989.05 were for general purposes, and \$37,428.99 for education. The State had no debt, but possessed a general fund of \$771,750, and a school fund of \$431,392. The census valuation of the State in 1860 was \$46,242,181. The assessors' valuation in 1862, which omitted all property exempt from taxation, was \$41,521,498. The total taxes of the State were \$121,121.36. There were fourteen banks in the State, which in May, 1862, had an aggregate capital of \$1,915,010, a circulation of about \$1,000,000, and \$250,000 in specie. Small as is the territory of the State, it then had 137 miles of railroad, which cost, for road and equipment \$4,312,129, and one canal, the Chesapeake and Delaware, 12.63 miles in length. There were 296 public schools in the State. In 1861, 15,036 children attended the schools, which were maintained at an average period of 6.97 months. The whole amount expended for school purposes was \$85,333.03. Of this sum, \$33,359.49 was derived from the school fund and \$53,485.08 was raised by contribution, and of this, \$37,731.80 (more than two-thirds) was raised by New Castle County. The income of the general school fund is distributed to the counties according to their population in 1830, and the income of the United States surplus fund equally to each county. By this arrangement, in 1862, New Castle County, which had 54,796 inhabitants, received \$12,807.36, and Sussex County, which had only 29,615 inhabitants, received \$12,011.22.

The aggregate manufactures of the State in 1862 were \$9,920,000, and consisted principally of shipping flour and meal, steam-engines and machinery, railroad cars, carriages, lumber, cotton and woolen goods, and boots and shoes. The cash value of the farms of the State at that time was \$31,426,357, which, taking into account the small amount of other territory in the State, was as high as most of the other States.

In 1863 the people of the State were much excited over the conflict between Governor Cannon and the "opposition," or Democratic Representatives in the Legislature. It was brought about by the last message of Governor Burton to the Legislature before he retired from office. In it he said:

"The subject first in importance to which I shall invite your attention, more vitally affects the interests, rights, privileges and liberties of the people of Delaware than any other, perhaps, which ever engaged the attention and deliberations of the General Assembly of this State since the foundation of the government, and the future existence of the government itself is not less involved in the issue—a new and novel use of the military power of the Federal government, which, if tolerated and carried out in practice, will most inevitably result in the perversion of the principles and power of the government and its ultimate and total destruction.

"I allude to the unwarrantable and unconstitutional arrests of our peaceful and loyal citizens, whereby they are deprived of their liberty and made inmates of loathsome forts and common jails, without any charge preferred against them in a legal form being made known to them and denied the privilege of being heard and of confronting their accusers, or even of being informed who they are and of the nature and character of the charges, if any, against them.

"I also refer to the unlawful and unprecedented interference on the part of the general government, with our peaceful and law-abiding citizens, in the constitutional and rightful exercise of their elective franchise, by the introduction into the State of a large number of United States troops on the day immediately preceding the day of the late general election, amounting, as nearly as can be ascertained, to about three thousand, consisting of artillery, infantry and cavalry, accompanied by Major-General John E. Wool, of the United States Army, and by him distributed and stationed on the day of the election at all the polls in Kent and Sussex Counties, except two, and at some of the polls in New Castle County, under the command and control of provost marshals, who, it is said, were appointed for that purpose for each and every hundred, an office entirely unknown to the Constitution and law of the land."

The persons who were appointed the Governor goes on to say, were mostly of low character, and unfit for any such purpose. The message also condemned the sending of the troops and says there was no necessity for it, as their presence was to preserve the peace, and he recommended the passage of an act to prevent the occurrence of such things in the future.

The first of these two subjects acted upon by the Senate was the one in relation to troops at the polls. On the 7th of January Dr. Gove Saulsbury introduced the following joint resolution in the Senate and moved its adoption:

"Resolved by the Senate and House of Representatives in General Assembly met, That so much of the Governor's Message as refers to the interference by troops in the United States with elections in this State on the 4th day of November last, be referred to a Committee of ——— members on the part of the Senate and of ——— members on the part of the House of Representatives; and that said Committee have power to send for persons and papers, and leave to report by bill or otherwise."

This resolution went over one day under the rules. The resolution came up the next day and the blank for the Senate was filled by "three" and that of the House by five. The House the same day concurred in the Senate resolution, as did the Senate in a similar resolution passed by the House. Gove Saulsbury, Thomas Cahall and William Hitch were appointed on the part of the Senate and James Williams, John Slay, William B. Stubbs, William D. Waples and G. W. Horsey on the part of the House.

The committee met on the evening of the adoption of the resolution and organized by electing Dr. Saulsbury chairman, and Mr. Williams, secretary *pro tem*. John O. Slay was subsequently appointed clerk of the committee. This committee was in session until the

16th of March, and examined one hundred and twenty witnesses, and submitted a report to the General Assembly, condemning the use of troops and severely arraigning Governor William Cannon and George P. Fisher.

In the mean time, however, Governor Cannon had been inaugurated and in his address justified the presence of the troops. He said, among other things, "that there were apprehensions of violence," and "the troops were placed under the control of citizens of prudence and discretion;" that, "in no case did they interfere with the exercise of the right of suffrage by any voter, and in all respects their presence was salutary in securing good order and preventing probable collision among our own people." He also justified the arrest of citizens on the ground that it was for disloyalty, and that noundue violence was used.

The committee reported a bill on the 10th of February, entitled an "Act to Prevent Illegal Arrests." This bill made it unlawful to arrest any white person in the State unless upon legal process issued by some officer authorized to issue process by the laws of the United States or this State, and it must be for or to prevent a breach of the peace or commission of a crime against the State of Delaware or the United States; such person was to be taken before a judicial office and to be released unless charged upon oath and in that case bailed, if the case be bailable, and no such person was to be taken from the State except upon the requisition of the executive of some other State, unless they shall belong to the land or naval service of the United States; it further made it unlawful to make an affidavit to procure the arrest of any white person in the State before any one not authorized by the laws of the United States or State of Delaware to take such affidavit, or to procure the removal of such person out of the State. This bill passed the Senate February 12th, by the following vote:

Yeas—Messrs. Cahall, Hitch, Saulsbury, Hickman and Mr. Speaker.

Nays—Messrs. Belville, Hooper, Tatum and Williamson—four.

And the House, February 24th, by the vote annexed:

Yeas—Messrs. Allen, Baily, Bewley, Fisher, Gootee, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Watson, Williams and Mr. Speaker—fourteen.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus and Paxson—six.

The same day Mr. Williams offered in the House the following joint resolution:

"Whereas, The Government of the United and of the several States, are governments of laws, within the limits of which all officials find their rightful powers, and outside of which no official has any just claim to power or obedience from his fellow-citizens; and whereas, William Cannon, the Governor of this State, in his inaugural address, has avowed the false and dangerous doctrine that 'reasonable ground of suspicion' can justify the arbitrary arrest and incarceration in prison far removed from the district of their residence, of citizens against whom no warrant has been issued or charge made according to law, and has unblushingly published his approval of these cruel and lawless arrests of his own fellow-citizens; and whereas, he has thus proved himself by this avowal,

the weak, but willing tool of federal usurpation and a Governor unworthy the respect and confidence of his fellow-citizens, one to whom they can look for no just protection of their rights of person and of property, therefore,

"Be it resolved, That the doctrines of Governor Cannon's address in regard to arbitrary and lawless arrests are, if carried out, fatal to constitutional liberty, destructive of the peace and security of our people and deserve, and hereby receive at the hands of the Legislature of Delaware prompt and indignant repudiation, and are declared worthy of the severest reprehension of a people who inherited the privileges of freemen, and wish to preserve them unimpaired."

The resolution was adopted by the House by the following vote:

Yeas—Messrs. Allen, Bailey, Bewley, Fisher, Gootee, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Watson, Williams and Mr. Speaker—fourteen.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus and Paxson.

On February 26th the resolution passed the Senate by the following vote:

Yeas—Messrs. Cahall, Hitch, Hickman, Saulsbury and Mr. Speaker—five.

Nays—Messrs. Bellville, Hooper and Tatum—three.

The Governor had no veto under the Constitution of the State over bills passed by the Legislature, and therefore, on March 3d, sent the following special message to that body:

"STATE OF DELAWARE, EXECUTIVE DEPARTMENT,
March 3, 1863. }

"To the Senate and House of Representatives of the State of Delaware in General Assembly met:

"The passage by the General Assembly of the act entitled 'An act to prevent illegal arrests in this State,' renders it proper that I should briefly communicate my views and purposes in relation to it.

"The preamble of the act refers to the Constitution of the United States, as providing that no person shall 'be deprived of life, liberty or property without due process of law;' but it ought also to have been recollected that the same Constitution provides that in case of rebellion or invasion that privilege of the writ of *habeas corpus* may be suspended when the public safety requires it, and that dangerous persons may be arrested and held without bail or mainprize. This provision overrides the Constitution of the State of Delaware, or any statute that may be enacted by her Legislature.

"To whom the right to decide when the exigency has happened, requiring the exercise of the power of suspension, is a question of construction upon which jurists differ. That it is a necessary power is admitted. That it exists there can be no doubt. Whoever is invested with the power to suspend is the sole judge of the occasion of its exercise. Being incidental to the general duty of the enforcement of the laws, and now called into exercise for the suppression of armed insurrection, I am satisfied that it properly belongs to the national executive, and in my official acts I shall regard it as vested in the President of the United States.

"The preservation of the Government is the highest duty of those charged with its administration, and the personal liberty of the individual is only to be regarded when compatible with its safety. That the citizen should have the right fairly to discuss public measures is true. That the people should be permitted peaceably to assemble and petition for a redress of grievances is undeniable. But there is a wide difference between the exercise of this right and the disloyal opposition which proceeds from sympathy with a public enemy. The former supposes that all parties are well affected toward the common government, and differ only as to the mode of its administration. The latter is based upon hostility to existing institutions, and aims at their forcible subversion. The idea that the government is bound to await the development of a conspiracy until the actors shall have perfected their plans and committed some overt act necessary to bring them within the technical definition of treason, is, to my mind, absurd. The object is not punishment, but prevention. That the power is liable to abuse is true, all discretionary powers necessarily are so. To decide against its existence because it is capable of excess would destroy all human government. The best mode to avoid liability to arrest is to be faithful. No man who is truly and unequivocally loyal has ever been in danger of being molested by the National Government.

"Still it is possible that arrests may be improperly and unwisely made; and while it is my duty to co-operate with the General

Government in the maintenance of its authority, I will, at the same time, to the extent of my power protect peaceful and loyal citizens, whatever may be their political sentiments. While, however, such is my purpose in relation to them, it is also my duty to take care that the State of Delaware shall not be made the refuge of foreign traitors or domestic conspirators.

"That there has been from the beginning of the rebellion a considerable number of our people ready to participate in armed resistance to the lawful authorities, whenever a fair opportunity should occur, I have no doubt. Sympathy with the Southern States in insurrection is sympathy with the overthrow of the National Government. No man can bear with gratification of a reverse to our arms who is not at heart a traitor.

"My predecessor, in an official communication, expressed the opinion that 'a majority of our citizens, if not in all our counties, at least in the two lower ones, sympathize with the South.' Without admitting the correctness of his estimate of numbers, I do not doubt of the existence of widespread disaffection. That there has been no outbreak, here is the result of want of opportunity. It is the duty of the executive, not only of the United States, but of this State, to take care that no opportunity shall be afforded. If, to secure the public peace and to prevent insurrection, it becomes necessary to arrest any individual within this State, whether he be a citizen or a non-resident, I will not only assent to the act, but will maintain it.

"Invested by the Constitution with no power of veto or review of the action of the Legislature, the Governor has a general control over the operation of criminal enactments, and such control I will exercise to its utmost extent to protect any person acting under the authority of the President of the United States, or any citizen aiding such person in bringing to light any conspiracy, or in arresting any one guilty of disloyal practices or treasonable designs against the government.

"I shall issue my proclamation in conformity with these views, giving to the people of the State of Delaware information of my intended action.

"WILLIAM CANNON."

On the 11th of March he issued the following proclamation:

"To the people of the State of Delaware:

"In a special message communicated to the General Assembly on the third day of March instant I informed that body of my purpose to issue my proclamation in relation to the act entitled 'An act to prevent illegal arrests in this State,' and therein briefly set forth the reasons which impelled me to this conclusion.

"Its provisions are at variance with the interests of the State—calculated to lessen the estimation in which her people are held, as faithful to the government of the United States—to embolden those who sympathize with the rebellion, and to discourage loyal men from the performance of their duty, in discovering and thwarting the designs of the emissaries of treason.

"To the end, therefore, that the evil operation of the enactment may be averted, and loyal citizens may feel secured in their efforts against foreign traitors and domestic conspirators, I, William Cannon, Governor of the State of Delaware, do, by this proclamation, enjoin upon the good people of this State that they hold true allegiance to the government of the United States as paramount to the State of Delaware, and that they obey the constituted authorities thereof before the Legislature of the State of Delaware, or any other human authority whatsoever.

"I further enjoin that they be vigilant in detecting any conspiracy against the National Government, and diligent in preventing aid and comfort to the public enemy; that they promptly assist the national magistracy whenever invoked, and that they freely communicate any information which may the better enable it to suppress insurrection or to intercept supplies designed for those in arms against its authority; and any one so acting I will save harmless from the operation of the statute aforesaid, or of any other statute of like nature that may be enacted, so far as it shall be attempted to be enforced against him for faithfully discharging his duty to his country.

"In testimony whereof I have herewith set my hand, and caused the great seal of the said State to be affixed, at Dover, this eleventh day of March, in the year of our Lord, one thousand eight hundred and sixty-three, and of the State the eighty seventh.

"WILLIAM CANNON."

On the same day the House adopted a joint resolution referring the Governor's message to a committee of three on the part of the House, and two of the Senate. Messrs. Williams, Curtis and Waples were appointed on the part of the House, and on the following day the Senate concurred in the House resolution and appointed Messrs. Saulsbury and Tatum the committee on the part of the Senate. On the 18th of March the majority and minority reports of the com-

mittee were presented to both Houses. In the House the majority report was read, but the minority was not. In the Senate both were read. The majority report censured the Governor, and declared him liable to impeachment; the minority report reaffirmed his position. The subject then ceased to interfere with the deliberations of the Legislature.

The subject of illegal arrests, and soldiers interfering with the people of the State in the exercise of their right of suffrage, was brought to the attention of the United States Senate by Senators James A. Bayard and Willard Saulsbury. On the 8th of December, Mr. Saulsbury offered the following resolution:

"Resolved, That the Secretary of War be, and he is hereby directed to inform the Senate whether Dr. John Laws and Whitely Meredith, or either of them, citizens of the State of Delaware, have been arrested and imprisoned in Fort Delaware; when they were arrested and so imprisoned; the charges against them; by whom made; by whose orders they were arrested and imprisoned; and that he communicate to the Senate all papers relating to their arrest and imprisonment."

Mr. Saulsbury, in calling for the consideration of the resolution, said:

"These two gentlemen, one of whom resides in my own county, and the other not far off, in the adjoining county, are known to me personally, and have been for a number of years; and as their friends do not know of any just cause why they should be imprisoned in Fort Delaware or elsewhere, I have felt it my duty to call for this information."

Mr. Wilson, of Massachusetts, opposed the adoption of the resolution, and in his reply in urging the resolution, Mr. Bayard said:

"I always supposed that the great value of this Government consisted in the fact that it afforded, beyond all other Governments, the best guardianship to the liberty of the individual citizen. Sir, what is the state of things now? The honorable senator from Massachusetts tells us that, in his opinion, the Government have forborne; that some mistakes may have been made in making arrests, but that they ought to have gone farther than they have gone. The question does not lie there. The question lies in the great principle that the liberty of the citizen ought to be protected against the Government, except by public judicial inquiry on facts *prima facie* established by affidavit in order to justify his incarceration, because incarceration is imprisonment, it is punishment. In no free Government can the citizen be arrested at the will of an officer—I do not care who the officer is, whether a Secretary of War or a Secretary of the Navy, or any subordinate to whom a Secretary chooses to delegate the power; and it is impossible to call the Government where such a power exists a free Government."

Mr. Saulsbury, in further urging the adoption of the resolution, stated as follows:

"We do hold that a State situated as we are, where there has never been any attempt to resist Federal authority, should have some consideration in the American Senate. But, sir, I tell the Senate that at our last general election armed soldiery were sent to every voting-place in the two lower counties of the State of Delaware. I am informed that this soldiery consisted of men from New York, from Pennsylvania and from Maryland. When I went to vote myself, I had to walk between drawn armies in order to deposit my ballot. Peaceable, quiet citizens, saying not a word, on their way to the polls, and before they had got to the election ground, were arrested and dragged out of their wagons and carried away. Peaceable, quiet citizens were assaulted at the polls. I do not, however, propose to discuss these matters now; I may do so hereafter. I simply wish to call the attention of Senators to this fact, which distinguishes us from States that are in revolt: we have offered no resistance to Federal authority."

Mr. Bayard further added,—

"The President of the United States—rightly or wrongly is immaterial; I am not going to enter into that discussion—has asserted the right to dispense with the law which requires the *habeas corpus* to be issued in any case of judicial arrest. He has claimed that right; he has exercised that right. He has openly, through the Secretary of War, issued a proclamation which virtually subverts this Government, if carried out in practice; because the Secretary of War is authorized to appoint an indefinite number of men, constituting a corps of provost marshals, who are to have the right, in addition to their military duties,

to arrest any citizen throughout the country on indefinite charges, and to call in military aid to sustain their action; and they are to report to the central authority at Washington, and hold the party in custody subject to the orders of that central authority. There is no law which authorizes such an organization as that. If the judiciary attempt to intervene, as in the case of the prisoner at Fort Warren, the bayonet of the soldier prevents the service of the writ upon the military commandant who has possession of the prisoner. The judiciary, then, are powerless for redress; and under this asserted right on the part of the President, that feeblest department of the Government being powerless to redress individual wrong, if the legislative branch, which is equally powerful with the executive, are not to interpose by calling for the information, the facts and by the expression of their opinion, if it be necessary, when the facts are returned to them, what protection has the citizen against the aggressions of executive power? Can a Government be a free Government, where, when the judiciary is set at defiance, the legislature unites in saying to the citizen: 'You shall have no investigation; you may be arrested by officers unknown to the law, indefinite in numbers, on offences unknown to the laws, not described, for disloyal practices, which may mean anything that an executive officer pleases; you may be arrested not only by the order of a functionary at Washington, who, from his position, may be supposed to have ability to exercise some discretion, but you may be arrested at the discretion of any one of his subordinate deputies, and an investigation is not to be made by any other tribunal than by an *ex parte* return made in your absence, and without any power of investigation on your part, to the central authority at Washington?' If the proclamation of the President of the 26th of September be carried out, and the general facts that have occurred taken as matters of history, that is the state of things and the power claimed by the executive. Sir, I consider that power a subversion of this Government. I consider it also unnecessary; and though the honorable senator says that while we are engaged in war he would not call for any account from the executive department for its actions, I submit there is a wide distinction there. I am asking nothing in reference to a continuation of the war. I am seeking not to embarrass the Government in reference to the prosecution of the war; but war certainly can be in the present, as it has been in the past, prosecuted without trampling upon the rights of the individual citizen at home, and in States which are entirely untainted by anything like resistance to the authority of the Federal Government."

The resolution was finally laid on the table by a vote of twenty-nine yeas and thirteen nays.

At the session of 1862-63 of the Legislature, James A. Bayard was re-elected to the United States Senate for the term of six years from March 4, 1863. The vote was Bayard, nineteen; Bradford, ten.

On the 1st of January, 1863, President Lincoln issued a proclamation declaring freedom to all the slaves in the insurrectionary States, excepting Tennessee, some counties in Virginia and some parishes in Louisiana. The extent of the operation of the proclamation as regards the institution was as follows: All the slaves in the border States of Delaware, Maryland, Kentucky, Missouri and Tennessee were exempted from its scope, and remained in bondage, as before under the State laws. The gross number which the proclamation recognized as slaves was 832,259. Gradual emancipation with compensation was proposed by the President, and rejected in Delaware, Maryland and Kentucky, and held in suspense in Missouri in order to ascertain the action of Congress relative to an appropriation for that purpose. The appropriation failed to pass Congress, and the subject was dropped.

The first movement to secure the advantages of the proclamation was to bring the colored men into the field as soldiers. For this purpose the Secretary of War issued an order authorizing the Governor of Massachusetts to raise volunteer companies of artillery and corps of infantry which might include persons of African descent. In March, 1863, General Thomas¹ was sent to the Mississippi Valley to or-

ganize colored regiments. On the 27th of January, a bill was introduced in Congress to authorize the President to raise 150,000 colored volunteers. The impulse thus given by the government resulted in bringing more than 50,000 into the field during the year. On the 31st of July the President issued an order declaring that the government would give the same protection to all of its soldiers, and that if the enemy should sell or enslave any one because of his color, the offense should be punished by retaliation upon the enemy's prisoners.

On October 26, 1863, an order was issued by the War Department extending the enlistment of colored troops to Delaware. In conformity with the order, and to carry the same into effect, recruiting stations were established by Governor Cannon at the following places: Wilmington, in New Castle County; Smyrna, in Kent County; Milford, in Kent County; and Georgetown, in Sussex County. Major Lorin Barritt was designated as the recruiting officer to conduct the enlistments.

To inspire the colored men to enlist, three colored companies were sent from Philadelphia, and distributed throughout the State.

In the latter part of June, 1863, the people were again thrown into a feverish state of excitement by the news that the Confederate movement north would be through Delaware, and that Philadelphia was the objective point of the enemy. Wilmington was especially concerned in this movement, and Mayor Gilpin, realizing the situation, issued the following stirring appeal on the 30th of June, 1863:

"*Citizens of Wilmington*:—The enemy is on the borders. From the latest advices it is evident that he intends to push his forces to Philadelphia, our neighboring city. It is more than probable that when he crosses the Susquehanna in force your homes will be in danger. Every impulse of patriotism and duty calls aloud to you to organize and drill in companies immediately. If not possible to defend our city against an overwhelming force, such organization will, at least, give a patriotic sense of security and enable us to co-operate with others who may assist us.

"I earnestly call upon every one capable of bearing arms to enroll himself in some military company and upon all those who have any experience or skill in the profession of arms to take the lead, organizing and drilling such volunteers as may be willing to serve in this emergency."

Gov. Cannon was equally prompt in comprehending the situation and in urging every effort to maintain the honor of the State and to repel the invading foe, if he should enter upon the soil of Delaware. July 1, 1863, he issued the following proclamation:

"A desperate enemy has invaded the neighboring States of Maryland and Pennsylvania. The Philadelphia, Wilmington and Baltimore Railroad, the main reliance of the Government for the transportation from the South of men and munitions of war, is menaced, not only by

graduated at West Point in 1823. He was appointed captain in the regular army September 23, 1836, and served in Florida in 1836-37 and 1849-50. In July, 1838, he was appointed assistant adjutant-general with the rank of major. On September 23, 1846, he was breveted lieutenant-colonel for bravery at Monterey, and was assigned as major of Fourth Infantry, January 1, 1848. On July 18, 1852, he was made assistant adjutant-general with rank of lieutenant-colonel, and was promoted to adjutant-general with rank of brigadier-general May 7, 1861. General Thomas was breveted major-general March 13, 1865, and resigned February 2, 1869. In 1863 he was successful in organizing colored troops in the West and superintended the free labor system on abandoned plantations. He was appointed *ad interim* Secretary of War, February 21, 1868, by President Johnson to succeed Secretary Stanton, but the latter refused to be displaced.

¹ General Lorenzo Thomas was born in New Castle, October 26, 1804, and

open, but by marauding confederates, who, under cover of darkness, threaten to destroy us.

"The defence of your soil lies in keeping open the door of communication, through which re-inforcements can be forwarded. The true military line of this State is the bank of the Susquehanna. The most effective way to prevent the spoliation of your house is to keep the enemy outside of it.

"In this emergency an appeal was made to the loyal men of Delaware. They have responded with a readiness that challenges encomium and a self-sacrificing spirit that extorts admiration. They have left their work-shops, their stores and their fields. The plough stands in the furrow and the reaper in the grain already white for the harvest. They have abandoned their homes and committed their wives and children to your protection.

"I appeal to you, citizens of Delaware, not to permit their devotion to be unacknowledged or their sacrifices unrewarded. Save their crops, till the fields succor their families.

"May God have them in his holy keeping and incline your hearts to acts of charity and duty."

On the 3d of July Gen. Schenck issued the following proclamation, placing the State under martial law:

"HEADQUARTERS MIDDLE DEPARTMENT,
"EIGHTH ARMY CORPS,
"BALTIMORE, Md., July 3, 1863.

"By virtue of my authority as the General commanding this Department, and in view of the present existing necessity for providing with special care against armed rebellion, threatening invasion from without and secret traitors, plotting against the public safety, within, I do hereby declare and establish Martial Law throughout the State of Delaware.

"The suspension of civil Government is not, however, intended to extend beyond what seems absolutely necessary for the objects in view. All the Courts, Tribunals and political functionaries of State, county and city authority will continue in the discharge of their duties as in time of peace; only in no way interfering with the exercises of the predominant power assumed and asserted by the military authorities. All peaceful citizens are required to remain quietly at their homes and in pursuit of their ordinary avocations, except as they may be possibly subject to call for personal service, or other necessary requisitions for military purposes or uses hereafter.

"Seditious language, or mischievous practices, tending to the encouragement of rebellion, are especially prohibited and will be promptly made the subject of observation and treatment. Traitorous and dangerous persons must expect to be dealt with as the public safety may require. 'To save the country is paramount to all other considerations.'

"When the occasion for this proclamation passes by, no one will be more rejoiced than the undersigned to have the entire supremacy of the civil power restored and to return to the normal condition of a country at peace and a government sustained by a united people.

"ROBT. C. SCHENCK,
"Major-General Commanding.

"Official,
"W. W. ESTE,
"Major and Aid-de-Camp."

At the same time the following order was promulgated:

"HEADQUARTERS MIDDLE DEPARTMENT,
"EIGHTH ARMY CORPS,
"BALTIMORE, Md., July 3, 1863.
"Special Order No. 178.

"2. Brig.-General Daniel Tyler, U. S. V., is relieved from the command of the 1st Provisional Brigade at Baltimore, and is assigned to the charge as Commandant and Military Governor of a district to be composed of the State of Delaware, and to the command of all troops in the service of the United States, or that may be in any way called into service within such district.

"He is also charged with the military protection and defence of the Philadelphia, Wilmington and Baltimore Railroad, within the States of Delaware and Maryland and will assume command of all troops employed on that duty.

"His Headquarters will be established at the city of Wilmington.
"By Command
"MAJOR-GENERAL ROBT. C. SCHENCK.

"W. H. CHESBROUGH, A. A. G."

On the 11th of July, 1864, the Governor was again constrained to issue a call to relieve the State from an emergency in which it was placed by the threatening movements of the enemy. It was feared that the railway communication to Baltimore would be cut off either by external foes or by those who sought secretly to abet the enemy. The call was for men to

serve thirty days to protect the railways and was made at the request of the general commanding the department, who realized the strength of the enemy and feared he might advance across the Peninsula. Early on Sunday morning, July 10, 1864, many wild rumors reached Wilmington which caused the greatest excitement. All the available soldiers were immediately hurried to the scene of action and a special train of cars bearing Secretary of State S. M. Harrington was also dispatched to the lower part of the State to arouse the loyal people to a sense of their duty in this emergency. The effort was productive of much good. The train returned in the evening bringing upwards of three hundred men, at the head of whom was Governor Cannon himself. At Wilmington a war-meeting was called after the religious services in the forenoon, Mayor Turner presiding. A committee of one hundred citizens was appointed to raise a fund to pay volunteers, which committee agreed to hold itself responsible for the pay of five hundred men for the term of one month. It was decided that each man should receive thirty-four dollars exclusive of the government pay and rations. Recruiting offices were opened and the work of enrolling men immediately begun. In the evening Captain Hugh Stirling's company arrived from Du Pont's, which was equipped and mustered into the service and by nine o'clock was awaiting transportation. On Monday night Captain Crossley's, Captain Gawthrop's and Captain Henry's companies were conveyed to Perryville, Captain Rice's and Captain Perry's companies remaining at Wilmington. The excitement continued and remained unabated, so that Mayor Turner felt called on to issue a proclamation, on the 13th, urging the citizens "to suspend their ordinary avocations, close their places of business and organize in the most effective manner for the defense of the government and the homes threatened by rebel invaders." Fortunately, the presence of a large body of armed men assured the people, and before the close of the week the ferment of excitement had subsided, business was resumed and the recruiting stations were closed. Thenceforth most of the periods of excitement were those of joy occasioned by the success of the Union forces.

When the result of the battle of Gettysburg was known, on July 5th, the Ladies' Aid Society of Delaware sent a deputation of twenty-one men to the battle-field with bandages, lint, clothing and other supplies for the wounded soldiers of the Delaware regiments. The remains of Lieutenant William Smith, of the First Delaware Regiment, who was killed at Gettysburg, arrived at Wilmington on the 15th of July, and after laying in state at the City Hall were buried with military honors. The remains of Captain M. W. B. Elligood, of the same regiment, who was killed in the same battle, were received for interment in Georgetown, Delaware, on July 17th.

On the 17th and 18th of November the First, Second, Third and Fourth Regiments of Infantry,

First Delaware Battery and First Delaware Cavalry arrived in Wilmington and were disbanded, their term of enlistment having expired.¹

During the perilous and unsettled period through which Delaware passed in 1863 there was less disposition to enter the service of the country voluntarily than the preceding year, and it soon became evident that a draft would have to be ordered to fill up the quota. This announcement intensified the excitement which prevailed in July, 1863, and the State was in a condition of ferment greater than at any other period during the war. The draft was ordered to take place at Smyrna, August 12, 1863, and its proceedings were watched with anxious interest. The quota demanded one thousand six hundred and thirty-six men, and as fifty per cent. more were drawn, there was a total draft of two thousand four hundred and fifty-four men. These were allowed to commute at the rate of three hundred dollars per man. At this time Edwin Wilmer was the provost-marshal; Leonard E. Wales, commissioner; and Lawrence M. Cahall, surgeon. Drafted men were warned not to leave the State under penalty of arrest and confinement in Fort Delaware as deserters, and both the civil and military authorities were charged with the execution of General Order No. 6, issued by General Tyler, August 13, 1863. Relief was afforded to some of the drafted men by means of the bonus raised for this purpose, but its exaction was severely felt and gave the people a keen taste of the merciless demands of war.

William Temple, who had been elected to Congress in November, 1862, died at Smyrna, Delaware, on May 28, 1863, aged fifty-two years.² On October 7th, Nathaniel B. Smithers, Secretary of State, was nominated to fill the vacancy by the friends of the administration. The opposition nominated Charles Brown.

The day of election was November 19th. On the 13th of November, General Schenck, in command of the Middle Department of the United States, issued the following general order:

"General Order, No. 59.

"HEADQUARTERS MIDDLE DEPARTMENT, EIGHTH ARMY CORPS,
BALTIMORE, Md., November 13, 1863.

"It is known that there are many evil-disposed persons now at large in the State of Delaware, who have been engaged in rebellion against the lawful government, or have given aid or comfort or encouragement to others so engaged, or who do not recognize their allegiance to the United States, and who may avail themselves of the indulgence of the authority which tolerates their presence to attempt to take part in or embarrass the special election in that State. It is therefore ordered:

¹The officers and privates of the Fourth Delaware Volunteers before disbanding presented Col. Grimshaw, their commander, with a splendid sword. A number of the ladies and gentlemen of Wilmington gave a grand entertainment during the 20th and 21st of November to the volunteers of Delaware.

²Governor William Temple, for many years identified with the legislation of Delaware, was born in Queen Anne's County, Maryland, February 28, 1815. After receiving a good academic education he engaged in mercantile business at Smyrna. In 1844 he was elected Speaker of the Delaware House of Representatives, and through the death of the Governor and the President of the Senate, became executive of the State for the unexpired term. For the next ten years he was a State Senator and declined re-election in 1854. He was elected to the Thirty-eighth Congress, but died at Smyrna May 28, 1863, before he took his seat.

"I. That all provost marshals and other military officers do prevent all disturbance and violence at or about the polls, whether offered by such persons as above described, or by any other person or persons whomsoever.

"II. That all provost marshals and other military officers commanding in Delaware, shall support the judges of election on the 19th of November, 1863, in requiring an oath of allegiance to the United States as the test of citizenship of any one whose vote may be challenged on the ground that he is not loyal or does not admit his allegiance to the United States, which oath shall be in the following form and terms: 'I do solemnly swear that I will support, protect and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign; that I hereby pledge my allegiance, faith and loyalty to the same, any ordinance, resolution, or law of any State, Convention or State Legislature to the contrary notwithstanding; that I will at all times yield a hearty and willing obedience to the said Constitution and Government, and will not, directly or indirectly, do any act of hostility to the same, either by taking up arms against them, or aiding or abetting, or countenancing those in arms against them; that, without permission from the lawful authority, I will have no communication, direct or indirect, with the States in insurrection against the United States, or with either of them, or with any person or persons within said insurrectionary States; and that I will in all things deport myself as a good and loyal citizen of the United States. This I do in good faith, with full determination, pledge and purpose to keep this, my sworn obligation, and without any mental reservation or evasion whatsoever.'

"III. Provost marshals and other military officers are directed to report to these headquarters any judge of election who shall refuse his aid in carrying out this order; or who, on challenge of a vote being made on the ground of disloyalty or hostility to the Government, shall refuse to require the oath of allegiance from such voter.

"By command of

"MAJOR-GENERAL SCHENCK.

"W. H. CHESBROUGH, Lieutenant-Colonel and Assistant Adjutant-General.

"E. L. TYLER, Aide-de-Camp."

Governor Cannon, at the same time, issued the following appeal to the people:

"STATE OF DELAWARE, EXECUTIVE DEPARTMENT,
DOVER, November 13, 1863.

"All civil officers and good citizens of this State are enjoined to obey the above military order, issued by the commanding general of the Middle Department, and to give all needful aid for the proper enforcement of the same.

"WILLIAM CANNON, Governor of Delaware."

On the next day the following order was issued by the general in command of the Delaware District or Department:

"General Orders No. 14.

"HEADQUARTERS, DELAWARE DEPARTMENT,
WILMINGTON, Del., November 14, 1863.

"The enforcement of General Order No. 59, issued from Headquarters Middle Department, November 13, 1863, by Major-General Schenck, and confirmed by the order of his Excellency, Governor Cannon, is confided to the troops in this Department.

"The objects of this order, as construed by the General commanding, are:

"I. To secure to every loyal citizen the right to vote as he pleases.

"II. To protect the polls from that outside violence which has heretofore, in some parts of the State, prevented loyal and peaceable citizens from voting.

"Special instructions will be issued to the officers in command of detachments which will be implicitly obeyed, and for the enforcement of which every officer will be held strictly responsible.

"By order of

"BRIGADIER-GENERAL TYLER.

"E. L. TYLER, Acting Assistant Adjutant-General."

On the next day the following order containing instructions was issued:

"HEADQUARTERS DISTRICT OF DELAWARE,
MIDDLE DEPARTMENT, WILMINGTON, Del., November 15, 1863.

"The following instructions have been received from the General Commanding, and will be strictly and carefully observed by all detachments of officers and soldiers within the 'District of Delaware,' while carrying out the provisions of Department General Order, No. 59, during the election to be held on the 19th instant:

"Every officer or non-commissioned officer in command of a detachment will be held strictly accountable for the good conduct and obedience of the men in his charge.

"Officers and soldiers must be strictly sober, and while preventing disturbance by others, must avoid all disturbance themselves, and are required not to hang around the polls nor engage in political discussions.

"It will be borne in mind that the whole object of the order of the Commanding General is to preserve peace at the places of voting; to sustain the judges or inspectors of election, to protect loyal voters, and to prevent from voting disloyal and traitorously disposed persons who refuse to take the oath of allegiance.

"In enforcing paragraph I. of the General Order, to prevent violence and disturbance at the polls, care will be taken that disloyal citizens of other States do not, as it is apprehended they will attempt to do, intrude themselves at the places of voting, and endeavor to intimidate the lawful and loyal voters of Delaware.

"DANIEL TYLER, Brig.-Gen. Commanding."

On the 17th of November a public meeting of the opposition was held at New Castle, at which a resolution was passed, "that the following address be issued to the Democrats of the county."

"NEW CASTLE, DELAWARE, November 17, 1863.

"To the Democrats of Newcastle County, Delaware:

"The undersigned, Democratic voters of Newcastle County, represent:

"That at the Democratic State Convention held at Dover, September 18, 1863, to nominate a candidate to fill the office of Representative in Congress, made vacant by the death of the Hon. William Temple, the Convention unanimously nominated the Hon. Charles Brown, of Dover Hundred, in the County of Kent, for the office designated; and ever since the adjournment of the said Convention the canvass has duly and quietly proceeded with every reasonable prospect for the success of our candidate, all of which facts are of public knowledge.

"To our astonishment and regret, however, we are informed by a public military and civil order, dated November 13, 1863, and made known to us on the 16th of the same month, that the constitutional and legal rights of the citizens of the State of Delaware to regulate their own elections, and make and prescribe all qualifications for voters at the ensuing special election on the 19th instant, have been utterly subverted, and new qualifications and tests, unauthorized by the Constitution of the United States, and contrary to the constitution and laws of the State of Delaware, imposed upon her citizens by military power.

"With the several and collective knowledge and belief of the undersigned, they utterly deny the existence within this State, now or in any past time, of associations or individuals hostile to the welfare of the government of the United States and of its Constitution and laws; and considering the said military order (to which the unauthorized recognition of the Executive of Delaware gives no sanction) as uncalled for, illegal, and unjust, do earnestly protest against the same—and against the interference of the Federal Government in the election held within our State, and in view of the presence and intimidation of a large military force of the United States in our State, and the indisposition of our people to produce collision with the armed forces of the General Government—do hereby recommend to the Democrats of Newcastle County, whether officers of election or voters, to submit to their disfranchisement and take no part in the said special election, but to rely upon the official oaths and consciences of the next House of Representatives in the Congress of the United States, to declare null and void an election so held, and conducted contrary to the laws of the State of Delaware in that behalf, and controlled by a power unknown to the constitution and laws of our State."

The address was signed by a considerable number of citizens. The result of this address was that the opposition or Democrats declined to vote, and on the day of election Mr. Smithers received 8220 votes, and Mr. Brown, 13.

In the United States Senate, on the 22d of December, 1863, Mr. Saulsbury offered the following resolution:

"Resolved, That the Secretary of War be, and is hereby directed to inform the Senate whether armed soldiers were sent into the State of Delaware, to be present at the polls on the 4th day of November last, the day of the general election in said State; and if so, by whose orders, upon whose application, the necessity, if any, for their being so sent, for what purpose they were sent, to what places by name they were sent, how many were sent, how many to each of such places, the names of the regiments or companies sent, the names of the officers commanding such regiments and companies; and whether any, and, if so, how many provost-marshal were or have been appointed, and at what places, in said State, with their names, the necessity, if any, for their appointment, and the powers conferred upon them; and that he communicate to the Senate all papers and orders in his Department relating to the sending of such soldiers into said State."

In support of his resolution, Mr. Saulsbury said:

"Sir, in a State where everything was perfectly calm and quiet, where there had been no attempt since the commencement of this revolution to take sides with the States in revolt, military were sent on the day of

the general election to every voting place in the two lower counties of that State except two. I state to the Senate and to the country what I know to be true, and what I can prove, that peaceable citizens were arrested on the day of the election, and incarcerated in the common jail of the county, at one place; that at another voting place, peaceable citizens, who were making no disturbance, doing nothing illegal or improper, were arrested and placed in confinement in a room; that at another place, peaceable citizens, before they arrived on the ground, before they had done or said anything on the election ground, were taken from their wagons and fastened up in a house, and some of them deprived of their right to vote. I state another fact which can be proved: at another voting place, persons were intimidated from voting, and others were assaulted. At some voting places the inspectors of the election were compelled to take what they believed to be illegal votes; at other voting places, persons having a clear legal right to vote were prevented from voting by the military.

"Now, sir, I do not say that the General Government desires this to be done. Gen. Wool left his headquarters, went to the town of Sanford, in my State, and stayed there until after the election. I believe, as far as Gen. Wool was concerned, and as far as the election was concerned at that place, there was very little wrong done—nothing further than what would be the natural effect of having soldiers at a poll, the natural intimidation which it occasioned. I will state also that where there were regular soldiers, under officers of character, there was not generally so much wrong done as at other places. But, sir, where Maryland home guards were stationed, outrages of a gross character were committed upon our citizens. I want to know—and that is the object of this resolution—what were the reasons for the sending of these men into the State of Delaware; what representations have been made to the General Government."

Mr. Bayard, of Delaware, said:

"I hope the resolution will be adopted. I do not desire to debate it, but I desire the information. I think we are entitled to it. The Government of the United States having sent into the State of Delaware, under the command of a major-general of the army of the United States some three thousand troops, on the day before the election, and distributed them throughout the State—a State which has at no time whatever, either by her position, her course of conduct, or the action of her people, offered any resistance to the authority of the United States—we have a right to know the reasons for such actions. It may be, and probably it will be shown, that some of our own citizens, in the heat of political excitement and partisan resentment, have made improper, erroneous and false statements to the Secretary of War. If that is so, we have a right to know it. We have a right to know who those recreant sons of Delaware are. The people of Delaware have a right to know who it was that thus attempted to cause civil strife and military rule to be established in the State. We do not want to inquire into the fact of whether the army was sent there and whether they were distributed at the polls—that is notorious; but we want the reasons which justify an act which certainly is an infraction of the rights of the people of Delaware, and an infraction which, carried out in other States—I am not speaking of what the design was, for I do not know what the grounds were; I want to know—would enable any existing Administration to keep itself in power and control the Government of this country just as long as it had the military force to do so. That would be the effect of submitting to such action. I want to know the grounds and the reasons, to see whether there was any justification for this action. It is not, as the honorable senator from Iowa supposes, with any desire for judicial inquiry against individuals there; nothing of the kind. It would not be evidence for the purpose of subjecting them to judicial inquiry."

The resolution was finally referred to the Committee on Military Affairs, which was the last heard of it.

On the 18th of December, 1863, the resolution introduced in the United States Senate by Charles Sumner, requiring the "iron-clad oath" to be taken and subscribed by every Senator in the Senate before entering upon his duties, was taken up. When this oath was offered to Mr. Bayard, who had grown gray in his country's service, he felt it as an insult and an outrage. At the previous session of Congress he appeared in the Senate, took the constitutional oath and entered upon his duties as a Senator. On the 19th of January, in a speech of great force and power, this eminent statesman proved that the oath was unconstitutional. He said:

"As I am the only member of the Senate present at this session who has not taken the oath, it is but a rational inference that the rule now proposed is intended to operate personally upon me, although I was

sworn in at the special session and acted as a Senator both on committees and in the Senate since my re-election in March last for the term of six years, ending on the 3d of March, 1859."

Speaking of the act of Congress of July 2, 1862, or the "iron-clad oath" which it prescribed, he said:

"The oath prescribed in that act has been frequently designated as 'the oath of loyalty'; and doubtless there are those who may consider my declining to take that oath as evidence of disloyalty. The words 'loyal' and 'loyalty' have become familiar terms during the progress of this disastrous civil war. I will not pause to inquire whether loyalty in its usual acceptation is not more appropriate to the relations and personal devotion of a subject to his prince than of a citizen to his government in a republic. Accepting the term as applicable, I define loyalty in a government such as ours—a representative Republic—to mean a steadfast adherence to the Constitution or organic law under which and by virtue of the adoption of which by the people of the several States the government was established; a cheerful and ready obedience to all laws passed in pursuance of that Constitution; and a devoted and ardent support of those guarantees of civil liberty which it was a primary object with its framers to maintain and perpetuate, and thus 'secure to themselves and their posterity the blessings of liberty.' I have sworn to support that Constitution; and as I believe that the rule proposed and the law which it is intended to enforce are repugnant to its provisions, I call upon the tribunal which has exclusive jurisdiction of all questions affecting the elections, returns and qualifications of its members, to decide judicially whether the act is constitutional, and give to it its proper legal construction. If it be disloyal to support the Constitution of my country, then I cheerfully accept the imputation of disloyalty; but if made on any other ground, I shall meet it with calm contempt."

The resolution was finally adopted on the 26th of January by a vote of twenty-eight yeas to eleven nays, and Mr. Bayard came forward and took the oath prescribed, after which, resigning his seat in the Senate, he said he submitted to the decision and resigned a position he had held for thirteen years. He made an impressive argument in assigning his reasons and said:

"Without any decision upon the constitutional validity of the act of July, 1862, all the members of the Senate and House, to whom it applied, belonging to the political party with which I have acted, have voluntarily taken the oath prescribed by that act, deeming, doubtless, that the constitutional questions involved were of less moment, and the precedent made less dangerous than they seemed to my mind. I could not but reflect that this unanimous action of those with whom I coincided in general political views might give cause even to men unbiased by the perverting influences of political or personal hostility, who did not know me personally, to doubt, if not to believe, that I declined to take the oath for reasons other than the consideration that, in my judgment, it was a dangerous innovation upon fundamental principles of the Constitution."

"As I believed that the law had been passed without full discussion, and as a decision on its validity by the proper tribunal had been waived at the special session when I was not present, I was content to leave others to their own action, and govern mine by my convictions of duty. The decision has now, however, been judicially made, after hearing my objections to the act and the oath it imposes, and that decision, though in my belief a dangerous precedent, is obligatory to the extent of taking the oath, as I have already held the seat for nearly one year since my re-election."

"Sir, I admit that I covet the approbation of the good, the wise and the reflecting, and would not willingly subject myself to their censure or to reasonable suspicion as to my motives of action; though I am utterly indifferent to those calumnious, groundless and vindictive attacks to which every man in public life, even in less excited times, is subjected by personal malevolence or political hostility. But though I desire such approbation, I have never made either opinion or popularity my standard of action, but my own sense of right and duty; and I owe a respect to my own sincere convictions of public duty which I will never sacrifice. Many of you are aware that before civil war commenced I expressed fully my views as to the course of action which I thought the welfare and prosperity of the whole country required after the secession of seven States. Those views differed from the course pursued subsequently by the Administration, and its course was approved by a majority of Congress, and, indeed, by the people at large after their passions had become excited by actual war."

"I told you then that I did not consider secession a constitutional or reserved right of the States, but an act of revolution; but a revolution by organized communities—not rebellion in the modern sense of the word, but only in its old Roman sense—the revolt of a people. I told you, also, that, in my judgment, conciliation and the removal of real or even apprehended grievances or dangers, and not coercion by arms, was,

in such a crisis, the true policy of the statesman; and that the framers of the Constitution had wisely left such a state of affairs without any provision as one of those 'mortal feuds' which, in the language of Hamilton, 'when they happen, commonly amount to revolutions and dismemberments of empire.' I admitted that secession was a breach of the compact by which the Federal Government was established, and that it rested with the United States to determine whether they would and could, by war, compel the seceding States to repair the breach, or whether the act by which they severed their political relations with us should be assented to, and a peaceful separation permitted, in the hope that past memories and the ties of blood and marriage, with continued commercial intercourse, might in a few years restore those seven States to the Union; similar influences having at the origin of the government induced North Carolina and Rhode Island, after a year's delay, to become members of the Union, though the former had in the first instance rejected the Constitution and the latter had refused to be represented in the Convention. I may be pardoned here for quoting a short extract from a speech I made on the 'condition of the country,' in March, 1861, as illustrative of my opinions before the sword had been drawn:

"You may attempt by war to keep the States united—to restore the Union; but the attempt will be futile. Conciliation and concession may reunite us; war, never! The power may be exercised for the purpose of punishment and vengeance. It may be exercised if you propose to conquer the seceding States, and reduce the nation into a consolidated nation; but if your intention be to maintain the Government which our ancestors founded—that is, a common Government over separate, independent communities—war can never effect such an intention."

"I preferred then peaceful separation to civil war as the lesser evil, but the Administration and the dominant party decided to resort to an enforcement of the laws by the coercion of arms, as against an insurrection. Civil war has since raged, and its events and consequences have strengthened my convictions that the prosperity of my country and the happiness and morals of the people cannot be promoted by its continuance. To these views an overwhelming majority of Congress is opposed, and, so far as the elections of the past year can be accepted as evidence of public sentiment, that majority is sustained by the people. It is true that new questions have arisen in the progress of war as to its mode of conduct and object, and have produced conflict of opinion among the people. But on the question of peace—even by temporary separation if essential—the Democratic party with which I have been connected is divided, and many of its leading and most influential adherents indulge in the visionary idea that a common Government, based on 'the consent of the governed,' over separate political communities, with diversified habits, manners customs and institutions, can be restored and maintained by the sword, without the abandonment of a federal and its conversion into an imperial and centralized Government. So thought not the President of the United States or the Secretary of State on the 10th of April, 1861, before war had begun, and to my mind such an idea is a delusion and a mere chimera. I have also the fixed opinion and belief that the life of a nation depends upon the preservation of its liberties, and not upon the extent of its dominion. Standing, therefore, almost alone in this body, I have lost the hope that I can longer be of service to my country or my State. Never an ambitious man, the passion of ambition has with the advance of life so diminished that I prefer the repose of private life to the embittered contests of the political arena in these tempestuous times."

"I have lived to see the elective franchise trodden under foot in my native State by the iron heel of the soldier, and 'Order No. 53,' not the people of Delaware, represented in one Hall of Congress. I have lived to see her citizens torn from their homes and separated from their families on the warrant of a self-styled detective, without any charge expressed on its face, and without any known accuser; and then, without hearing or trial, these citizens banished from their State, beyond the protection of the laws, into a State in which the laws of the United States are now neither enforced nor enforceable. Yet in the State of Delaware the courts have been always open, and at no period has there existed the semblance of a conspiracy or combination to resist the authority of the United States. Such an allegation is a gross calumny and utterly groundless, come from what source it may."

"And now, Mr. President, the Senate of the United States have by their decision enforcing an expurgatory and retrospective test oath, repugnant to both the letter and spirit of the Constitution, made a precedent, which, in my judgment, is eminently dangerous, if not entirely subversive of a fundamental principle of representative government. Under these circumstances, with my construction of the Constitution having held the seat, I am bound to submit to your judicial decision as to the validity of the act of July, 1862, and have therefore taken the oath it prescribes. I cannot doubt that the precedent now made will be followed, and yet I regard all test-oaths as useless and demoralizing acts of tyranny. It has been as truly as beautifully said by a brilliant and distinguished advocate: 'They are the first weapons young oppression learns to handle; weapons the more odious since, though barbed and poisoned, neither strength nor courage is necessary to wield them.'"

"With a firm conviction that your decision inflicts a vital wound upon free representative government, I cannot by continuing to hold the seat I now occupy under it, give my personal assent and sanction to its propriety. To do so I must forfeit my own self-respect and sacrifice my clear convictions of duty for the sake merely of retaining a high

trust and station with its emoluments. That will I never do, but, retiring into private life, shall await, I trust with calmness and firmness, though certainly with despondency, the further progress of a war which it is apparent, to my vision, will in its continuance subvert republican institutions, and sever this Federal Union into many arbitrary governments.

"Among these, wars for dominion will arise and continue until, from exhaustion, the different divisions subside into separate nationalities, leaving not a vestige of a republic remaining. If the lessons of history be not deceptive and valueless, such will be the inevitable result of protracted war; for a single centralized government over so vast a territory, inhabited by so intelligent and energetic a people, could it be organized through military genius and power, and be successful for the hour, would not outlive the generation in which it was established.

"I close these remarks with the language in which a historian of the Constitution so eloquently portrays the character of the American people (alas! how changed now) at the time of its adoption, and the great object they intended to accomplish in thus cementing more firmly a Federal Union:

"They beheld that republican and constitutional liberty which with all that it comprehends and all it bestows, was not only altogether lovely in their eyes, but without which there could be no peace, no social order, no tranquillity, and no safety for them and their posterity.

"This liberty they knew must be preserved. They loved it with a passionate devotion. They had been trained for it through a long and exhausting war. Their habits of thought and action, their cherished principles, their hopes, their life as a people, were all bound up in it; and they knew that if they suffered it to be lost, there would remain for them nothing but a heritage of shame, and ages of confusion, strife and sorrow."

The seat of Mr. Bayard as a Senator in Congress, which was vacant by his resignation, was filled by the next Legislature by the election of George R. Riddle. The Legislature adopted a resolution complimentary to Mr. Bayard for the course he had pursued during his Senatorial career, and especially for his very able speech in the Senate, setting forth the reasons which induced him to resign his seat.

The vote of the State at the Presidential election in November, 1864, was, Lincoln 8155; McClellan, 8767; majority for Victor Du Pont, Ayers Stockley and Harberson Hickman, the McClellan electors, 612. The vote for members of Congress was Smithers, Republican, 8253; Nicholson, Democrat, 8762; majority for Nicholson, 509. The Legislature of the State was divided as follows: Senate, Democrats 6, Republicans 3; House, Democrats 14, Republicans 7. There were two sessions of the Legislature during 1864,—one in January and a special one in July.

The Governor urged the Legislature, in his message, to adopt measures for the emancipation of slaves held in the State. As arguments he stated that Delaware is connected with the free States by geographical position and commercial necessity; that her products find their markets in the North, and that from thence come the immigrants who give increased value to real estate; that the result of constant intercourse with the North is gradually to assimilate the institutions of the State to those of the free States, as it had already identified their interests; that slavery in Delaware, being merely nominal, was worthless as an element of labor; that emancipation in Maryland had surrounded Delaware with free soil, inviting the escape of slaves on all sides, as there was now no law requiring their rendition.

Some efforts were made to enlist negroes in the State under the order of the President of the United States and the Governor, but the Legislature having refused to pay such recruits a bounty, the number of

them was quite small. A commission was also appointed to estimate the value of such as were slaves. Upon a claim being made and title proved, those who were considered or known to be loyal, received full compensation.

An association which had been formed in the previous year to promote immigration in the State, met with considerable success. Several thrifty colonies were formed, and the number of settlers from the North increased. The cheapness of the lands and the profits from its cultivation were regarded as inducements. Cultivated lands were sold from fifteen to thirty dollars per acre within one to three miles of a railroad depot.

The First Delaware Regiment was mustered into service for three years on February 2, 1864, by Major Judd, in Wilmington, and on the 9th they broke camp at Brandywine Springs and marched to Newport, where they embarked for Washington.

In March Major-General Lew Wallace succeeded to the command of the Middle Department, including Delaware. In September Colonel S. M. Bowman assumed command of Delaware, with headquarters at Wilmington, with Capt. Thomas M. Wenie, of the Second Delaware Regiment, as provost-marshal. The body of Major William Smith, who was mortally wounded at the Southside Railroad, Va., in October, reached Wilmington on the 9th of November, and after lying in State in the City Hall, was escorted with military honors to Dover.

In March, 1864, another draft was ordered to fill the aggregated quotas for five hundred thousand men, and Delaware was called on to furnish sixteen hundred and seventy-six men. These not being forthcoming as volunteers, drafting took place May 19th, June 18th and July 2, 1864. The last was to supply a deficiency of sixty-nine for New Castle County, thirty for Kent County and forty-nine for Sussex County. Wilmington was called on for twenty-two men, to make up her deficiency. The quota of the State, under the call of March, 1864, for two hundred thousand men, was nine hundred and eighty-five men.

Under the call of the President on the 18th of July, 1864, for five hundred thousand men, Delaware was required to furnish twenty-four hundred and forty-five soldiers on an enrolment of fourteen thousand seven hundred and thirteen men. This quota was to be furnished by the 5th of September, 1864, under penalty of another draft. To relieve, if possible, the State from this draft, the Governor convened an extra session of the Legislature July 28, 1864. It was urged that the unexpended balance of the appropriation made at the last session, amounting to two hundred and fifty thousand dollars, should be used for commutation purposes, and thus relieve those subject to the draft, without working injustice to any class of citizens. On the 12th of August, 1864, a bill of that nature was passed, which had the effect of stimulating enlistments and made the burden for those who had to provide substitutes easier.



Commodore George B. Meade

Comd Respectfully
S. F. Meade

1865



Copyright 1900 by J. H. P. Co.

Yours Respectfully
S. F. Hall

1900

[illegible]

the \mathcal{H}_2 norm of the error signal $\|e\|_2$ is bounded by the \mathcal{H}_2 norm of the disturbance $\|d\|_2$ multiplied by the \mathcal{H}_2 norm of the transfer function $\|G\|_2$ from d to e . The \mathcal{H}_2 norm of the transfer function G is the square root of the sum of the squares of the singular values of G . The singular values of G are the square roots of the eigenvalues of G^*G . The eigenvalues of G^*G are the eigenvalues of the matrix Φ in the state-space representation of G . The \mathcal{H}_2 norm of G is the square root of the trace of Φ . The \mathcal{H}_2 norm of G is a measure of the energy of the system. The \mathcal{H}_2 norm of G is a measure of the energy of the system. The \mathcal{H}_2 norm of G is a measure of the energy of the system.

On 19 June 1994, the day after the release of the film, the Washington Post reported that the FBI had received information from a confidential source that the film was a forgery. The FBI was unable to verify the information, and the film was shown in several theaters. The FBI was unable to verify the information, and the film was shown in several theaters.

On 10 October 1986, the President of the Republic, General
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When it had turned out the demand for the citizenship were so strong that the Government was obliged to suspend the passport law, the Government was obliged to suspend the passport law. The Government was obliged to suspend the passport law. The Government was obliged to suspend the passport law.

to take place February 21-22, 1968, in the city of New York. The purpose of the conference was to discuss the results of the first round of the negotiations and to prepare for the second round. The conference was held at the Waldorf Astoria Hotel. The participants included representatives of the United States, the Soviet Union, and the United Kingdom. The conference was chaired by the Secretary of State, Henry Kissinger. The participants discussed the progress of the negotiations and the need for a second round. The conference ended with a statement by the Secretary of State, in which he announced that a second round of negotiations would be held in the near future.

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Journal of Management Inquiry 20(4) 409-424

1. The first group of people who are interested in the study of the history of the United States are the people who are interested in the history of the United States.

Figure 1. The effect of the concentration of the H_2O_2 solution on the amount of the released H_2O from the H_2O_2 -loaded hydrogel. The amount of the released H_2O was measured at 37°C for 24 h. The concentration of the H_2O_2 solution was 0.1, 0.2, 0.3, 0.4, 0.5, 0.6, 0.7, 0.8, 0.9, and 1.0 M. The amount of the released H_2O was measured at 37°C for 24 h. The concentration of the H_2O_2 solution was 0.1, 0.2, 0.3, 0.4, 0.5, 0.6, 0.7, 0.8, 0.9, and 1.0 M.

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1945-1946 - 1947 - 1948

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1. 1990年12月15日，在《人民日报》发表署名文章，指出“中国要富，必须走社会主义道路”。

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Journal of the American Medical Association

1. 1990年12月25日，在“九七”香港回归前，香港各界人士纷纷发表文章，讨论香港回归后的前途。

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Section 1 Du Pont de Nemours & Co.



Wm. Respectfully
S. H. S. S. S.

In his statement to the Legislature, at this time, Governor Cannon said, that up to that period Delaware had a credit at the War Department for eight thousand seven hundred and forty-three men. Fully one thousand had enlisted in Pennsylvania, five hundred in New Jersey, and five hundred in Maryland—making a total of nearly eleven thousand men from a population of a little over twelve thousand souls, white and black, free and slaves. As the latter were not then liable to enlistment, it will be seen that even at this period Delaware had contributed an unusually large percentage of its citizens for the defense of the Union; and, later, the proportion of soldiers given by the little Diamond State to uphold the flag of the Republic was equal, if not greater, than that of any other State.¹ This is a record which may well cause the hearts of its loyal citizens to rejoice.

Under the last call of the President for three hundred thousand men, December 19, 1864, the quota of Delaware was nine hundred and thirty-eight men, and as the State had received no credit for the emergency men which it had furnished, the demands upon its citizenship were so close that but few subjects of military duty could hope to escape the chances of a general draft. Again the matter was made the subject of legislative action, and on the 16th of February, 1865, the Legislature passed an act providing for the payment of bounties to volunteers before the draft, and a bonus of five hundred dollars to a drafted white man who would enter the service, or would provide an acceptable substitute. The draft for Kent and Sussex Counties took place February 20, 1865, and contrary to some fears, passed off quietly. That of New Castle County was postponed until March 25, 1865, when drafts were made to fill the quotas of a few hundreds, which could not be supplied with volunteers.

The conclusive victories now achieved by the Union armies removed the necessity for further levies of men, and those who last entered the service were, after a short experience in military life, restored to the homes from which some of them had been taken against their will or inclination to perform the duties of a soldier, no matter how noble the cause which called them.

Governor William Cannon died at his residence in Bridgeville, on March 1, 1865, after a brief illness of typhoid fever.

Governor William Cannon, who was executive of Delaware during the late Civil War, was a native of Sussex County. He was born near Bridgeville, March 15, 1809, and while still young began a mercantile career which extended from year to year until he became a leading citizen in wealth and influence in his native county and State. In 1844 he was elected a member of the State Legislature

and was selected the second time to represent his district in that body. In 1851 he was made treasurer of the State, and ten years later was chosen a member of the Peace Congress. In 1863 he was elected Governor as a Unionist and held the office until his death, which occurred March 1, 1865. His remains were interred in the burying-ground of the Methodist Episcopal Church of Bridgeville, of which he was a zealous member during his life. Governor Cannon's wife was Margaret N. B. Laws, of Sussex County.

By a provision of the Constitution, the Speaker of the Senate, Dr. Gove Saulsbury, upon the death of Governor Cannon, succeeded to the chief magistracy of the State.

Rear Admiral Samuel F. Du Pont died at the La Pierre House, Philadelphia, on Friday morning, June 23, 1865. His remains were brought to Wilmington the same evening, and on Sunday, June 25th, were interred with grand military and naval honors. Major-General George H. Meade and staff were among the distinguished officers present.

Rear Admiral Samuel Francis Du Pont,² fifty years of whose life was dedicated to honor and usefulness in the United States navy, and who performed valuable services in two wars, was born at Bergen Point, N. J., September 27, 1803, and was descended from an honorable and distinguished ancestry, "whose descendants as citizens of the United States have maintained without blemish the high character of the race from which they sprung." His parents were Victor Marie Du Pont De Nemours and Gabrielle Josephine de la Fite de Pelleport, daughter of the Marquis de Pelleport. His father, born in Paris in 1767, was attached to the French legation in the United States in 1787, and in 1795 became first secretary of that legation, and in the same year was appointed French consul at Charleston, S. C. Two years later he was appointed consul-general of France in the United States, but left the service and returned to his native country, whence he emigrated to the United States with his father and brother, and finally settled at Louviers, a country-seat on the Brandywine, near Wilmington, Del., where he resided until his death, in 1827. The grandfather of our subject was Pierre Samuel Du Pont de Nemours, a distinguished French economist, statesman and writer, who manifested a deep interest in the United States, and died in Delaware in 1817. In 1782 he had rendered important services in the negotiation of the treaty between Great Britain and France, in which the independence of the colonies was recognized, and in 1803 he had exercised a strong influence in bringing about the treaty, under the administration of Thomas Jefferson, by which Louisiana was acquired by the United States.

In 1809, when Samuel Francis Du Pont was six years of age, his parents removed to the Brandywine,

¹ In a table furnished to Congress by the Secretary of War, in compliance with a resolution of the House of Representatives adopted in December, 1865, with respect to the number of volunteers called for by the President at various periods, it appears that the aggregate number of troops furnished by Delaware was 13,651. The aggregate reduced to three years' standard was 10,303.

² With acknowledgments to the oration by Senator Thomas F. Bayard, on the occasion of the unveiling of the statue of Rear-Admiral Du Pont, in Washington, D. C., December 20, 1884.

which was the home of his childhood, the scene of his happy married life, and his resting-place when the earthly chapter of his noble life closed.

On December 19, 1815, when a mere child, but twelve years of age, he received from President Madison, his grandfather's warm friend, his appointment as midshipman in the navy and almost simultaneously was tendered a cadetship at West Point, but his preference was for the navy, and he entered that branch of the service at once. It is interesting to know that Jefferson, who was no less a friend of Du Pont de Nemours than was the President, wrote him a letter upon this occasion, of which the following extract shows the tenor :

"For twenty years to come we should consider peace as the summum bonum of our country. By that time your grandson will have become one of our high admirals, and bear a distinguished part in retorting the wrongs of both of his countries on the most implacable and cruel of their enemies. In this hope, and because I love you and all who are dear to you, I wrote the President on the instant of reading your letter of the 7th on the subject of his adoption into our Navy. I did it because I was gratified in doing it, while I knew it was unnecessary. The sincere respect and high estimation in which the President holds you is such that there is no gratification within the regular exercise of his functions which he would withhold from you. Be assured that if within that compass, the business is safe."

The boy lived to more than fulfill the prediction of his illustrious friend and the fondest hopes of his family. His career was remarkable. Senator Bayard, in summarizing it says :

"From December, 1815, onward, in war and peace, afloat or ashore, he diligently, and with intervals of leisure few and of short duration, served his country until his death in June, 1865; for eleven years as a midshipman; for sixteen years as a lieutenant; for thirteen years as a commander; for seven years as a captain; and for three years as a rear-admiral; giving part even of his childhood, his entire youth, and the whole of his mature manhood, to faithful public service." . . .

And again he says :

"The range and varied nature of his service seem unbounded. He carried the flag of his country on the high seas, into the four quarters of the globe, everywhere and at all times maintaining with dignity and punctilious care the national honor and reputation of the service. A love of the navy and a thorough knowledge of its needs grew into his life, and became part of his very being. The tender and impressible age at which he entered the navy had much to do with this, and the great law of gradual growth was well expressed in him, as he rose from rank to rank, unfolding higher capacities at each step. . . . A noble emulation filled him, and by study and careful self-cultivation he attained that proficiency in languages and polite literature which marked his public reports and correspondence, and distinguished him in official and social intercourse. . . . In every field of duty, on sea or land, he was found ever energetic, courageous, conscientious, in the performance of duty."

To particularize in regard to his experiences, we may state that his first cruise was in the "Franklin," a seventy-four-gun ship under Commodore Stewart (whose youthful aid he was), on the Mediterranean station. Towards the end of his cruise he joined the "Erie," and in these two ships saw three years' service. His second cruise was also on the Mediterranean station, in the frigate "Constitution." He next served in the old frigate "Congress" on the West India station and on the coast of Brazil. His fourth cruise again took him to the Mediterranean, and he sailed under Commodore John Rodgers, in the "North Carolina." He was soon promoted to the rank of sailing-master on that ship, and in April, 1826, was commissioned as a lieutenant. Again he served three years on the Mediterranean, this time on the sloop of war "Ontario," and in 1835, during

the Florida War, was on duty in the Gulf of Mexico on the "Warren" and "Constitution." From 1838 to 1841 he was on board the "Ohio" in the Mediterranean station. In 1842 he was promoted to the rank of commander, and in 1843 sailed in command of the brig "Perry" for China, but severe illness compelled his return, after reaching Rio Janeiro. In 1845 after assisting in the organization of the Naval Academy at Annapolis, he was appointed to command the frigate "Congress," flag-ship of Commodore Stockton, bound to the Pacific, and arrived on the coast of California just as the Mexican War broke out. On arriving at Monterey he was transferred to the command of the "Cyane," in July, 1846, which, after the conquest of California had been effected by the squadron under Commodore Stockton, was employed in blockade duty on the west coast of Mexico, and in cruising in the Gulf of California. The exploits of the "Cyane" under Du Pont's command were among the most brilliant achievements of the Americans during the Mexican War. His personal gallantry underwent severe tests here several times, as, for instance, when he landed one hundred of his officers and crew in the face of a military force vastly superior, and at the head of his little band fought his way through many times their number, and relieved the brave Lieutenant Heywood and his garrison in the mission-house of San José, where he had been long besieged.

His services in this war cannot even be summarized in this sketch, but they have been written upon the pages of the nation's history, and their record will forever endure.

He returned to Norfolk in October, 1848, after three years of constant service, during which time, notwithstanding long blockades at anchor and harbor defense, he had sailed sixty-five thousand miles.

After his return in the "Cyane," Commander Du Pont was employed as examiner of midshipmen and reviser of the rules of the Naval School. He was a member of the Light-House Board, and combined with that important service the command of the receiving-ship at Philadelphia. In 1855 he was promoted to the rank of captain and became a member of the Board to Promote the Efficiency of the Navy. After this he was two years in command of the "Minnesota," in the East India Squadron, and returned home to serve upon boards of examination and to have command of the Philadelphia Navy-Yard.

And now we come to the period of the veteran officer's most trying ordeal, his greatest and final services for his country, and the crowning fame of his honorable and illustrious career.

At the outbreak of the Rebellion, when travel from the North to Washington was interrupted and all communication with the capital broken off, Captain Du Pont, without waiting for any especial authorization, ordered officers, men and artillery to the Susquehanna and an armed steamer to the Chesapeake to

keep the way open for the passage of troops. In June, 1861, he was called to Washington and made president of a board, which, after elaborate examination and study of the Atlantic and Gulf coasts by means of the maps and documents of the Coast Survey, made careful reports and exhaustive memoirs which guided all of the naval operations of the war. In September he was made flag officer of the South Atlantic Blockading Squadron, and in the following month sailed from New York in command of the naval forces of the joint expedition which captured the Port Royal forts and harbor on the 7th of November. This was one of the most brilliant and striking successes of the navy in the war, and it was followed closely by other effective operations.

Congress passed a special resolution of thanks to Flag Officer Du Pont for his achievements at Port Royal; and his long and valuable services were further recognized by his promotion to the grade of rear admiral on the 16th of July, 1862.

When the Navy Department was clamorous for the capture of Charleston, although his judgment was against making the attempt without the co-operation of a land force, he nevertheless gallantly undertook it, upon the 7th of April, 1863. The naval attack, with thirty-two guns afloat in a tortuous channel, amidst formidable obstructions, against two or three hundred, was persisted in until over half of the enemy's guns were silenced, but it became evident to the commander that the harbor and city could not be taken, and that longer fighting with the already disabled iron-clads would almost inevitably result in their capture by the enemy, or complete loss by sinking. It was then that Admiral Du Pont's self-reliant and courageous judgment ordered the withdrawal of the fleet, in order, as he subsequently wrote, to "prevent a failure from being converted into a disaster." His judgment on this occasion, though not approved by the Navy Department, was indorsed by the gallant and experienced commanders of the monitors, and confirmed by subsequent events. The "Keokuk," an iron-plated vessel, sank the morning after the engagement, and an investigation showed that five out of the eight vessels were disabled, and that "half an hour more fighting would have placed them all *hors du combat*." Senator Bayard pays high tribute to the moral courage of the commander exhibited in his attitude towards this visionary project of capturing Charleston. He says:

"When Admiral Du Pont's duty required the delivery of his judgment as to the practicability of capturing Charleston with the new fleet of iron-clads, and without the co-operative movement of a strong land force, he gave it sincerely, and preferred to displease rather than mislead the public and those who had intrusted him with the command. As I read his dispatches, the more I feel his fame and memory deserve this public recognition, for he possessed the qualities that save nations—those personal qualities that are indeed the pivots upon which the great wheels of human society securely and smoothly revolve, and which all political societies need for their safety, in the high places of public trust.

"... And this man had honor. . . . It was this that impelled Admiral Du Pont to tell unpalatable truths in an hour of excitement when great results were pending. He was overborne, and his great heart was pained and his high and delicate pride wounded by injustice, ignorance, aspersion and the other countless shafts against which

no coat of mail can protect. But time was his vindicator, and the correctness of his judgment was soon established." . . .

As is well known, his successor, Rear Admiral Dahlgren, never attempted a course of action different from his predecessor, and "in his published memoir ample material will be found—if it were needed—wholly to exonerate Admiral Du Pont and to justify the counsel he gave and the action he pursued."

The officer who led into action the last wooden and the first iron fleet was now nearing the close of his career of arms and of his life. He was recalled from his command June 3, 1863, but owing to delay in the arrival of his successor, was not relieved until a month later. "The capture of the 'Atlanta' by Captain John Rodgers, whom the admiral had sent to intercept her," says one biographer, "shed a parting halo round the close of his active career." A few months after his retirement from command of the South Atlantic squadron the admiral's health, which had been impaired years before, began to seriously fail, and he was advised to travel in Europe. He was reluctant, however, to leave his country in time of war, and his death was doubtless hastened by this spirit of devotion and patriotism. He died in Philadelphia (whither he had gone on a short visit) on the 23d of June, 1865.

He married, in 1833, his cousin, Miss Sophie M. Du Pont, who survives him, and has no children. A statue of Rear Admiral Du Pont, modeled by the well-known sculptor, Launt Thompson, was erected by the government in Du Pont Circle, Washington, D. C., and unveiled nearly twenty years after his death, December 20, 1884, on which occasion the oration was delivered by another distinguished Delawarean, Senator Thomas F. Bayard.

There were phases of Admiral Du Pont's life which have scarcely been alluded to in this sketch, and indeed impossible to dwell upon in a limited article. He was a pure and upright man in the fullest and most exact sense of those terms; a man of lofty ideals and a Christian of both poetical and practical piety. In middle life he made open profession of his religious belief, and in the intervals of his naval duties took an active part in the affairs of the Protestant Episcopal Church, of which he was a communicant. He was a member of the State and General Conventions, and exerted in those bodies a strong influence, especially directed to the encouragement and strengthening of foreign missions. The deep interest he took in this work led to his selection as president of the American Church Missionary Society.

A description of the personal appearance of Admiral Du Pont, drawn near the close of his active service by Admiral Daniel Ammen, may be here appropriately given: "In appearance he was distinguished, over six feet in height, admirably proportioned, graceful and urbane, with an intelligent expression and action. It will not be considered adulatory by those who knew him to say that no officer in our navy

within the past half-century was gifted with a more distinguished appearance or exalted character."

And concerning his attributes as a man of arms and patriot, Senator Bayard says: "Long and illustrious as is the roll of honor of the American navy, it is unjust to no name that adorns it to say that none has ever exhibited a more ingrained devotion, a more zealous and solicitous guardianship of its honor, interests and efficiency than Samuel Francis Du Pont."

Colonel James Hemphill Jones, of the United States Marine Corps, was another distinguished naval officer in the Civil War. He was the son of Morgan and Mary (Hemphill) Jones, and was born in Wilmington May 6, 1821. On the 2d of March, 1847, he was commissioned a second lieutenant in the United States Marine Corps, and he immediately began to see service. In the years 1847-48 he was with the army in Mexico. September, 1853, he was promoted to a first lieutenant, and sailed for Japan on board the sloop-of-war "Macedonian," in the fleet of Commodore Perry. It was during this cruise that his health became impaired from the effects of the climate, and it was only by slow progress that he eventually recovered his normal condition. In 1856 he was ordered to the receiving ship "Ohio," at the Boston (Massachusetts) Navy Yard. In 1861 he was promoted to a captain, and participated in the disastrous action of Bull Run, where he was distinguished by his cool and steady courage.

From 1861-67 he served in the Pacific squadron. In 1864 he was promoted to a major, and the same year to a lieutenant-colonel. From 1868-71 he was on duty at Mare Island, Cal. In 1879, while stationed at the marine barracks, Boston Navy Yard, he was promoted to a colonel, and ordered to the command of the marine barracks at League Island, Pa. While in the act of obeying his orders, he was suddenly stricken ill with pneumonia, of which he died, after a brief illness.

Thus passed from earth a true soldier, a generous friend and an honorable man. Unwearied devotion to his profession was the object which inspired his daily life. Perhaps his most distinguishing characteristic, was the fidelity with which his official duties were performed. His grave was made at the Wilmington and Brandywine Cemetery, where a handsome tomb covers his remains.

The signal victories achieved at the close of the deplorable civil war were fittingly celebrated in Wilmington and other portions of Delaware. The victories of Sherman and Farragut were celebrated in a becoming manner September, 7, 1864, and when the news of the fall of Richmond and Petersburg was announced, April 3, 1865, there was a general and heartfelt jubilee, whose demonstrations were excelled only by those attending the final triumph of the Union arms. Some of these were the spontaneous outpourings of a long-suffering but now grateful people, while others were formally arranged. A grand demonstration was proposed to be held at Wilmington on the 17th of April, 1865, but

the saddening news of the death of President Lincoln and the bringing home for interment of the body of the lamented Gen. Thomas A. Smyth prevented its consummation at the time appointed. But the joy of the people was no less complete, and their patriotic spirits, though chastened, gave cheerful homage to the returning¹ soldiers of Delaware, during the summer of 1865, and have ever since gratefully remembered their services in defense of their country.

Until the beginning of the war a State debt was unknown in Delaware. The resources of the State had been amply sufficient to meet the ordinary expenses, and the policy to guard against indebtedness had become settled. Upon the issue of the orders of the Federal government to draft the citizens into the military service, the Legislature, as we have shown, determined to extend the credit of the State to aid them in relieving themselves from the operation of the draft, by obtaining substitutes. For this purpose the State treasurer was authorized to prepare and issue bonds to the amount of \$1,000,000. This amount was increased during 1865 by the addition of \$110,000, making the total \$1,110,000. A loan of bonds to the amount of \$170,000 was made to the Delaware Railroad Company by the State in 1855. As a security for this loan, the State held a mortgage of the railroad, guaranteed by the Philadelphia, Wilmington and Baltimore Railroad Company, and also a sinking fund, by the operation of which the entire loan was to be paid before the maturity of the bonds. The payment of the principal and interest of the general bonded debt was provided for by the appropriation of certain sums from time to time paid to the treasurer for the use of the State. The amount thus paid by a tax on the Philadelphia, Wilmington and Baltimore Railroad during the eleven months ending October, 31, 1865, was \$94,782, to which adding the taxes from other sources, and the aggregate was \$95,208.

Under the act of Congress of July 30, 1864, imposing a tax of ten per cent. on the circulation of State banks, the alternative was presented to them to adopt the national system authorized by act of Congress, or to go into liquidation. The State owned \$365,700 of the capital of the Farmers' Bank. An act was therefore passed authorizing the change to the national system. On the 1st of January, 1866, there were eleven national banks in the State, with a capital stock paid in of \$1,400,485; surplus fund, \$238,759; notes in circulation, \$768,860; individual deposits \$1,221,927; United States deposits, \$146,515; dividends unpaid, \$6342; due to national banks, \$171,855; due to other banks \$85,273; profits, \$110,228; State circulation, \$213,297; aggregate, \$4,363,542. Delaware also had at the same time five State banks,

¹ The First Delaware Veteran Volunteers, having been mustered out of service, reached Wilmington Friday morning, July 4, 1865. They were under command of Colonel D. Woodall, Lieutenant-Colonel Nichols and Major Dent, and numbered about six hundred and fifty men; the remainder having either been discharged or in hospital. They were met by an immense crowd of friends who had assembled to bid them a hearty welcome home. They were paid off July 17, 1865, at Brandywine Springs and discharged.

making a total of sixteen banks with a national bank capital of \$1,400,485; State bank capital of \$780,000; total capital, \$2,180,485.

The amendment to the Constitution of the United States, which had been ratified at the close of 1865, abolished slavery in the State of Delaware. The number of slaves in the State in 1860 was 1798. During the excitement of the war this number had been greatly reduced, and but few remained to receive any benefit from the measure. The free colored population in 1860 was 19,829. In the Legislature the amendment was rejected on February 8, 1865, by the following vote: In the Senate: Yeas, Messrs. John P. Belville, John F. Williamson, Isaac S. Elliott—8. Nays, Messrs. John H. Bewley, Thomas Cahill, Henry Hickman, William Hitch, James Ponder, Gove Saulsbury—6.

House: Yeas, Messrs. John Alderdice, John A. Duncan, Andrew Elinson, James H. Hoffecker, John G. Jackson, Elias N. Moore, Merritt H. Paxson—7. Nays, Messrs. Charles M. Adams, Wm. F. Carney, Henry C. Douglas, Wm. Dyer, Wm. D. Fowler, Abner Harrington, John Hickman, Benjamin Hitch, Shepard P. Houston, John Jones, Miles Messick, James Stuart, Henry Todd, John C. Wilson—12.

On December 1, 1865, President Johnson annulled the suspension of the writ of *habeas corpus*, and on April 2, 1866, he announced by proclamation that the war had ceased.

HOSPITAL AND RELIEF ASSOCIATIONS.—To the patriotic ladies of Wilmington the Union cause was much indebted for the means of alleviating the suffering of the sick and wounded soldiers. As we have already stated, as early as May, 1861, Mrs. Jones offered the use of her spacious mansion, which she had recently purchased at the corner of Eleventh and Market Streets, Wilmington, for hospital purposes, and also offered to sacrifice all she possessed for the promotion of the great cause. Other ladies of Wilmington were equally active in preparing means to make the sick comfortable.

The Delaware Hospital was opened in June, 1862, in the building erected by John P. Crozier for a normal school, near Chester, Pa. It was the only spacious building of the kind obtainable near Wilmington, which caused it to be secured for the soldiers from Delaware. Dr. Fisher, of Wilmington, was appointed hospital surgeon. Here the sick and wounded from the State received treatment during the season which followed.

About this time the sympathies of Miss Anna Semple were warmly enlisted in the work of securing nurses for the hospitals in Baltimore, City Point and other places in the field, acting under the direction of Miss Dorothea L. Dix. She was born in Philadelphia, but became a resident of Delaware when a young girl, and early devoted herself to works of charity. Being a staunch Unionist, she gave a quick response to the call for women to act as nurses, and personally took charge of the Camden Street Baltimore Hospi-

tal. Here and at other points her services were gratuitously given, and her zeal being so great, she became a warm co-laborer of Miss Dix. The latter appointed her, on the 11th of February, 1863, to supervise all the military hospitals in the State during the Rebellion. Acting in accordance with the instructions of her department, Miss Semple now began urging better facilities for the care of the sick and wounded soldiers of Delaware. Her appeals caused a desire for a suitable place for hospital purposes in Wilmington, where ample accommodations might be provided. The square of ground bounded by Ninth and Tenth Streets and between West and Tatnall Streets, was secured, upon which was erected in February and March, 1863,

Tilton Hospital.—The institution was so named in honor of Dr. James Tilton, who was the surgeon-general of the United States army, in the War of 1812, and who died near Wilmington, May 14, 1822. It was ready for the reception of the sick March 6, 1863, and Dr. Gray was the surgeon in charge, having as an associate in these duties Dr. Norris. The dimensions of the building were: A corridor 339 feet long, 16 feet wide, 14 feet high, which joined each



TILTON HOSPITAL, 1861-65.

ward; a kitchen 108 feet long, 20 feet wide, with a porch extending the whole length; 6 wards, 164 feet long, 20 feet wide and 14 feet high, with a bath-house 10 by 20 feet attached to each ward; barracks 130 feet long, 20 feet wide and 14 feet high; a coal-house 51 feet long, 16 feet wide and 14 feet high; tank-house 31 feet long, 16 feet wide and two stories in height. The whole were inclosed with a picket fence 12 feet high. The building cost \$22,500, and was completed in thirty days.

A number of tents were also used for hospital purposes, and there was a long frame building which was occupied as a dispensary, which was in charge of Malcolm Macfarlan as hospital steward, from about February 1st to September 4th, 1863. Dr. Macfarlan is now (1888) a prominent and successful homoeopathic physician and surgeon in Philadelphia. Dr. E. J. Bailey was the surgeon in Aug., 1864, and was assisted by Drs. William R. Bullock and Robert P. Johnson. In August of that year there were three hundred and eighty

beds, ninety-five sick and one hundred and fifty-one wounded patients. In October, 1864, Surgeon Josiah Simpson, of the United States army, reported that it had a capacity for three hundred and fifty-two patients, and that there were under treatment two hundred and forty-one soldiers.

This number was generally maintained and the hospital was used until the fall of 1865. After the close of the war many sick soldiers were there mustered out of service by Captain S. Townsend, as soon as they were able to travel, and sent to Philadelphia, where they were paid off. Thousands of soldiers were treated at this hospital in the period it was maintained.

A valuable adjunct of Tilton Hospital was

The Delaware State Association for the Relief of Sick and Wounded Soldiers, which was formed in July, 1862, in the city of Wilmington. It had as its first officers: president, Rev. Alfred Lee; vice-president, William Canby; secretary, William S. Hilles; treasurer, John N. Robinson. A committee appointed to collect funds in behalf of the association made the following appeal to the citizens of Wilmington:

"The object of this Association will, we are assured, commend it to the heart of every true patriot and lover of the Union, and will enlist the sympathies and generous support of all who appreciate the noble impulse and sacrificing spirit which has prompted our brethren to peril their lives, and put in jeopardy all earthly considerations for the safety of our common country. While we do not the soldier's duty, we have it in our power to extend to him the alleviating hand when stricken down by the enemy or prostrated by disease; and with this noble object in view the Association appeals to your generosity for material aid, without which, little or nothing can be done.

"We ask for your earnest co-operation and prompt response when the committee shall call on you:

"E. Hollingsworth, Charles Warner, D. Woolman, Jesse Lane, Gregg Chandler, Alexander Kelley, George G. Lohdelt, Joseph Teas, Job H. Jackson, A. W. Smith, W. H. England, S. M. Harrington, Jr., C. Feiliger, Joseph Pyle and Joseph M. Pusey."

The association had the hearty co-operation of a Ladies' Aid Association, which was formed for this purpose at a meeting held July 22, 1862. After able addresses by Bishop Lee and others, Miss Anna Semple was called to the chair and Miss S. A. Bailey was appointed secretary. Mrs. Samuel Harlan, Mrs. H. L. Tatnall, Mrs. Crossman, Miss Edith Newlin and Miss H. B. Torbert were appointed a committee to name officers for a permanent organization. Mrs. James S. Dickerson was elected treasurer.

These associations succeeded in collecting for the relief of the sick and wounded, up to October 4, 1862, \$6033.75, and in the same period had expended in the work of their mission \$2307.87. Up to the 15th of May, 1864, this fund was increased by the Ladies' Committee by the addition of \$385.90.

How comprehensive and far extended was the work of the Ladies' Committee of the Delaware State Association may be learned from the report which was issued in November, 1864, and which covered a period of operations since July 9, 1863. The report was arranged under three heads,—work for the soldiers, work for the refugees, and work for the Great Central Fair of the Sanitary Commission:

First, the work for the soldiers embraced the dis-

tribution of very many donations, including all kinds of wearing apparel, books, etc., contributed by the Ladies' Aid Societies of Wilmington, Claymont, Dover, etc. About two thousand six hundred articles of clothing were made gratuitously for soldiers in camp and hospital, and members of soldiers' families were employed to make about nine hundred additional articles. These were sent to the hospitals in which were Delaware soldiers, to the Christian Commission, and to the First, Second, Third and Fourth Delaware Regiments direct, all the boxes reaching their destination safe, and their contents were gratefully received. The hospital library at Wilmington, under the direction of a committee, was well maintained and contained seven hundred and fifty volumes. The prisoners at Fort Delaware were also remembered, and about thirty families at Wilmington received material support.

Second, work for refugees,—

"An urgent appeal on behalf of suffering Union refugees at Cairo, Illinois, and vicinity, was so liberally responded to by our friends that we were enabled to send six boxes, containing an aggregate of one thousand two hundred and seven articles of clothing, and forty-two yards of muslin. A letter was received from Mr. Folsom Post Chaplain at Cairo, acknowledging the timely arrival in good order of these boxes.

"Third, Work for the Great Central Fair.—A donation of ninety-five dollars in cash was made to the Delaware Department and the sum of \$313.25 was expended chiefly for the purchase of material for useful and fancy articles. Those thus made, together with the donations of each of our friends as preferred to make this Committee the medium through which their gifts were conveyed to the Fair, embraced a large variety of fancy work of all kinds."

Among other articles donated were two hundred and sixty copies of poems, called "Flowers from the Battle-Field," by M. T. Canby, of Wilmington. No separate account was kept of the money realized from the sale of the donated articles at the fair, but the sum augmented very much the amount Delaware was enabled to pay into the general treasury of the managers.

The Christian Commission and Sanitary Fair.—It is greatly to the credit of the State of Delaware that when the Christian Commission was organized some of the first letters of encouragement and proffers of substantial aid came from its citizens. This interest in the Commission was continued and culminated in the Great Central Fair of the Sanitary Commission of New Jersey, Pennsylvania and Delaware, which was opened at Philadelphia, June 7, 1864. The fair was an object of great attraction until its close, June 28th, and realized for the Commission the neat sum of \$1,080,000.

The proposition to hold a fair for such a laudable purpose was received with much favor by the people of Delaware, and the patriotic Governor commended the object in the following proclamation:

"STATE OF DELAWARE, EXECUTIVE DEPARTMENT.

"DOVER, March, 1864.

"To the Loyal Citizens of Delaware:

"It is proposed to hold a Great Fair in the City of Philadelphia, in the First week in June next, for the benefit of the Sanitary Commission. The Citizens of Delaware have been cordially invited to co-operate with the citizens of Pennsylvania and New Jersey in this Patriotic and Humane purpose. . . .

"It is not necessary for me to commend this great and good work to the Loyal people of Delaware. You have already given with a liberality and labored with a fidelity worthy of all praise. You have been willing

and active; and what you have done is the best indication of what you can and will do. Let every clergyman announce this humane undertaking to his people; let the Press give it the widest publicity and the most earnest encouragement; let every factory, workshop and mill contribute a specimen of the best thing they can turn out; let all legal men and women exercise their taste and industry. In this way the result may be an honor to our State, a great comfort to our suffering heroes, and an offering well pleasing to the Almighty, whose blessing and assistance I humbly invoke upon this work of Christian charity.

By the Governor,
"SAMUEL M. HARRINGTON, Jr.,
"Secretary of State."

A building was erected for the Delaware Department of the Great Fair on the west side of Logan Square, near Vine Street, Philadelphia, which was two hundred and fifty feet long and thirty feet wide, in which were displayed the exhibits of the State. To this department the Philadelphia, Wilmington and Baltimore Railroad Company donated two thousand dollars on the 18th of May, 1864, and many other corporations contributed liberal sums to encourage the good cause.

Every department was well maintained, and State pride created to make the undertaking a success extended to all classes, the children of the public schools especially being zealous in their substantial acts of encouragement. When the fair was opened on the afternoon of June 7, 1864, Governor Cannon



THE SANITARY FAIR BUILDING, PHILADELPHIA.

was introduced to the assembled multitude, whom he addressed in words of eloquent, patriotic devotion to the Union. Standing as the representative of little Delaware, he said he came to assure them that the feelings of most of his people were identical with theirs, and how, striving with a steady purpose and deep earnestness, Delaware sought and hoped, by the blessing of God, "soon to be as FREE as you are; how she struggles to throw off the bonds that retard her progress, and how her loyal hearts beat quick with the good promise of coming freedom! how some of her bravest and best have fallen in this great struggle, and how many more are receiving the ministrations of the gentle hands whom the Sanitary Commission sends out to help them, and how many more have turned their faces to the foe and are ready

to charge and to suffer and to die for God and Liberty!

"God bless the Sanitary and the Christian Commissions. They speak of a liberality and Christian charity that do honor to our age. They revive the strength and the life of the suffering soldier, and restore him to his country and his family. They give him courage as he goes to battle, and fortitude as he suffers; they furnish him consolation as he sinks, and the promise of a better life as he dies."

One of the most pleasant and a closing incident of the work of the fair was the presentation to President Lincoln by the State of Delaware of a beautiful silver vase, valued at seven hundred and fifty dollars. The vase had been on exhibition at the fair, and had helped to swell the fund of the Commission by the contributions received in its behalf. The cup was delivered to the President in July, 1864.

FORT DELAWARE occupied such an important position in the war history of the State that an extended account of that fortress, as it appeared when hostilities began, may not prove uninteresting. This great citadel was erected in the centre of a green, willowy island,—the Pea Patch,—near the head of Delaware Bay. The island comprises about eighty acres of ground, most of which lies four feet beneath the water-level.

"The embankments around the island were from six to eight feet high, and docks were constructed on the east and west sides, while flood gates were planted at their heads so that the entire surface of the island outside the citadel can be covered by the bay whenever the exigencies of the garrison require complete isolation in the citadel. When the fort shall have been completed (many years to come) the embankments which encircle the island will constitute water batteries and will be provided with one hundred guns additional to those employed for the defence of the citadel. The buildings without the fortress are all constructed of frame so that they can be fired at any moment. A road twenty feet in width and eight feet deep encompasses the solid masonry of Fort Delaware. It is crossed by a single stone bridge, on the west, comprised of three arches, and opening upon the huge sally-port or gateway—under the great arch of which visitors find entrance and exit. A gang way plank on the east flank leads into a small sally-port, with double walls opening upon the second tier or story.

"Fort Delaware mounts three tiers of guns. It is pentagonal in shape, and its sides within its walls coverly five acres of ground. The exterior walls of the fort are

made of granite blocks four feet thick; solid brick walls are built within these, twelve feet thick, and archways constructed within the solid walls reach at least thirty feet additional thickness. Inside the walls and archways are the barracks of the officers and the men, capable of quartering, when completed, at least two thousand men. They are now useless because unfinished, and present only a hollow array of brick walls, which can be battered to fragments by an enemy's cannon.

"The quarters of Captain Gilson, who sleeps within the fort, consist of a petty room in a frame shed, ascending a single berth, and altogether unsuited and unseemly. A few thousand dollars would complete the interior arrangements of this fort, provide ample and humane accommodations for the garrison, and make this almost impregnable fortress an excellent defence for the city of Philadelphia.

"The archways, before referred to, are used for the mounting of guns, for magazines, &c.

"The fort is now provisioned with two months' supplies for one hundred and fifty men, by the foresight of Col. Bradford and commissary James S. Watson of the municipal service. The guns of Fort Delaware, more than one hundred in number, include nineteen columbads, five of which are ten-inch guns, weighing nine thousand pounds each (one hundred and twenty-eight pound shot) capable of reaching any craft within three miles, fourteen eight-inch columbads, weighing five thousand pounds each. The weight of the ball for the latter is nearly one hundred pounds each. In addition to these, there is a large quan-

tity of ordinary guns, howitzers, &c. A squad of the artillerymen are daily employed in hoisting cannons to their places on the parapet, and, in a short time the whole array of cannon in the citadel will be fixed in their respective places, and the recruits will commence target practice with their cannon and the columbiads. We have no hesitation in saying that at the present time Fort Delaware is calculated to resist any foe, and the channels of the Delaware are inaccessible to any hostile crew with the guns of that fortress bearing upon them.

"The bastions or embrasures of this fort are calculated to sweep into destruction any storming party. At the angles of the fort the bastions protrude beyond the line of walls, so as to command through the bastion ports, any scaling party along the whole line of flank. Thirty-four guns are already mounted. To assail successfully this fortress of the Delaware, an attacking foe must first sail up the channel, with the terrible guns of the fortress bearing upon them. If the foe should successfully hazard such a gauntlet, the island must be invaded. In five minutes this could be laid under water four feet deep. If ever this terrible exigency should be evaded, the solid walls of the fort encompassed with a deep moat, are next to be scaled. Should ladders be raised to the high parapet of the citadel, the great guns of the bastions are ready to sweep the assailants into destruction. Should they, by any fortuitous circumstances, enter the fort, its foundation can be flooded to the depth of four feet. We see of no way in which Fort Delaware could be successfully stormed or besieged. The citizens of both New Jersey and Delaware are loyal in any emergency. The people of Delaware City offered to Captain Gilson the services of one hundred and fifty soldiers to defend Pea Patch and the Delaware.

"Fort Delaware is in many respects the counterpart of Fort Sumter, but larger and stronger, in fact, almost impregnable. Twenty-six years have been required to bring it to its present state of completeness and probably ten years of additional labor would scarcely make it equal to all engineering requirements."¹

At this time the garrison consisted of ten officers and sixty-two privates, but as the fury of the struggle increased, reinforcements were added from time to time, and many of the short-term soldiers of Delaware here served their periods of enlistment. The island was soon selected as a proper place for the confinement of Confederate prisoners, but owing to the insufficient number of men constituting the garrison, a number of prisoners succeeded in escaping in July, 1862. Commenting on this, a paper² said:

"Up to the time of this escape there were 3181 rebel prisoners confined at Fort Delaware, and about 3000 more were expected before the end of July. The steamer 'Baltic' arrived at the fort in the middle of July, having on board 1200 prisoners, who were transferred from Governor's Island, New York, to Fort Delaware. They comprised the whole number quartered at Governor's Island, and consequently embraced some determined characters. The officers numbered about one hundred, and had quarters inside the fort, and the other prisoners occupied barracks on the upper end of the island. These barracks are commanded by heavy casemate guns in the fort, and also by shotted field-pieces. The barracks erected are capable of accommodating 2000 men. Other barracks are in course of erection, intended to accommodate 6000 more. The guard consists of about 250 men, comprising portions of three batteries. A guard patrols the island at all hours, to prevent any attempt at escape, but the circumstance that two hundred have escaped establishes the fact that two hundred and fifty men are not enough to guard three thousand reckless and determined prisoners who have nothing to do but to organize plans for escape."

The guards were reinforced by a detachment of five hundred men, but about the same time the number of Confederate prisoners was increased to eight thousand men. The following year, in August, 1863, there were eleven thousand prisoners, and subsequently this number was still further increased, there being nearly fifteen thousand held in 1864.

As early as 1863 the Confederates at Fort Delaware began taking the oath of allegiance to the United States, and in the summer of that year fully two hundred of these men were doing garrison duty at the fort. Five hundred more had taken the oath and were uniformed and held in readiness for any service the government might impose on them. Some entered the

ranks of the Fourth Regiment of Delaware Infantry, while others became members of Capt. Ahl's battery of heavy artillery. That company was composed almost exclusively of Confederate prisoners who had taken the oath of allegiance. It was mustered out of service July 25, 1865, when the men were paid off and returned to their homes.

The prisoners who had not previously taken the pledge of loyalty began to take the oath of allegiance in April, 1865, and were sent off to their homes at the rate of about two hundred men per day. This process continued until but a few prisoners remained, whose offenses required a special pardon.

During the occupancy of the fort as a prison, a cemetery was used opposite, in the State of New Jersey, where most of the prisoners who died were interred.

REGIMENTAL HISTORIES.³—Pending the delay in putting organized military companies in the field as volunteers of the United States, a number of the more arduous patriots left Delaware to enlist in Pennsylvania and New Jersey. Scores of men thus left Wilmington the first week of the war to connect themselves with companies at Chester, Kennett Square and Philadelphia. On the 25th of April, 1861, as we have shown, a company of German Turners, numbering eighty men, left Wilmington for Philadelphia to unite with the Turner Regiment in that city. Seventy Germans had proceeded to the same place the previous day.

Capt. Thomas A. Smyth's company of National Guards, about eighty men, also went to Philadelphia early in May, to connect itself with a regiment. The men had been ready some time, but not liking the tardiness of things in Delaware, resolved to seek a more active field of service by entering a Pennsylvania regiment. On being mustered into the service Francis McCloskey was commissioned first lieutenant; Neal Ward, second lieutenant; Michael Kirwin, first sergeant; Daniel O'Neal, second sergeant; Daniel Meany, third sergeant; Wm. Murphy, fourth sergeant. The company was attached to Col. Owen's Twenty-fourth Pennsylvania Volunteer Regiment and served on the Upper Potomac until August 1st, when it returned to Wilmington, where it received a hearty welcome. It was the first company to return by reason of the expiration of the term of service.

In the third year of the war an independent company was organized on the Brandywine Banks, pursuant to an order of the War Department August 10, 1864. The men were mustered August 30, 1864, by Major H. B. Judd, of the United States army, and Hugh Stirling was the captain. The duty of this company was to protect the powder works, and the men were paid by the Du Ponts.

The First Regiment Delaware Volunteer Infantry.—The organization of this body was begun immediately after the call of the President of the United States,

¹ Newspaper account May, 1860.

² *Washington Republican*.

³ The rosters of the Delaware troops in the Civil War are to be found in the Appendix.

April 19, 1861, and the enlistments were for the period of three months. Two companies, A and B, commanded by Robert S. and Charles E. La Motte, were filled to the maximum strength within a few days, and Company C was formed soon after at Wilmington, rendezvousing in the "Institute Building" on Market Street, which was secured as an armory. Other companies were organizing in the lower part of the State, but owing to the absence of a proper system, could not speedily combine to form a regimental body, and a delay of nearly a month ensued before the organization was completed. Captain Robert S. La Motte, now colonel of the Thirteenth Infantry, United States army, was the chief instrument of influence in holding the men together, and promoting the organization of the regiment. It was largely through his efforts among his friends and the prominent people of the city that the men were made comfortable, and supplied with partial uniforms and other clothing. His efforts were warmly seconded by William P. Saville, who had received a West Point education, and who was afterwards adjutant of the regiment. The three companies at Wilmington finally went into camp at the Fair Grounds on the 22d of May. This place had been fitted up with sheds and tents and was called Camp Brandywine. By the 25th of May all the other companies were in camp and doing duty, the regiment holding its first dress parade the following day. The organization of the regiment was fully completed before May 31st and was as follows:

Col., Henry H. Lockwood.
Lieut.-Col., John W. Andrews.
Major, Henry A. Du Pont.
Adjutant, William P. Saville.
Q.-M., W. Hill Alderdice.
Surgeon, Robert P. Johnson.
Asst. Surgeon, James Knight.
Chaplain, George M. Condon.
Sergt.-Major, John G. Saville.

Company A.

Capt., Robert S. La Motte.
1st Lieut., Evan S. Watson.
2d Lieut., Franklin Houseman.

Company B.

Capt., Charles E. La Motte.
1st Lieut., James Plunkett.
2d Lieut., Alfred Vanderver.

Company C.

Capt., Joseph M. Barr.
1st Lieut., W. H. McKaig.
2d Lieut., J. R. Holt.

Company D.

Capt., James Green.
1st Lieut., Enoch J. Smithers.
2d Lieut., Samuel Stimpson.

Company E.

Capt., Robert Milligan.
1st Lieut., Benjamin Nields.
2d Lieut., Leonard E. Wales.

Company F.

Capt., Thomas Crossley.
1st Lieut., Richard Duncan.
2d Lieut., William Plunkett.

Company G.

Capt., C. Rodney Layton.
1st Lieut., David W. Maull.
2d Lieut., William Y. Swiggott.

Company H.

Capt., Samuel H. Jenkins.
1st Lieut., John H. Knight.
2d Lieut., Daniel Woodall.

Company I.

Capt., James Leonard.
1st Lieut., John Daugherty.
2d Lieut., Daniel Langdon.

Company K.

Capt., George F. Smith.
1st Lieut., Charles Bind.
2d Lieut., W. H. Clenden.

On the 11th of June, Capt. R. S. La Motte was elected major to fill vacancy caused by the inability of Major Du Pont to leave the regular army, and Lieutenant E. S. Watson became captain of Company A. About a month later Major La Motte was appointed a captain in the regular army, and Captain C. Rodney Layton was elected major. The brass band organized the latter part of June proved valuable in popularizing the movements of the regiment, whose work during the entire service was to perform guard duty. The companies returned home at intervals from the 2d of August to the 14th of the same month, and the service, though uneventful, gave a military experience which made it easier to reorganize.

"*The First Delaware*" for three years.—Col. Lockwood having been appointed a brigadier-general, this next duty devolved on Col. Jno. W. Andrews, who received authority from the War Department for this purpose. The companies entering into the organization repaired to a regimental camp-ground at Hare's Corners, in New Castle Hundred, which was called "Camp Andrews." All the companies had reported at this camp the last day of September, and the work of drilling was begun, although not all companies were supplied with arms until October 20th. A few days previous to this the regiment had been fully organized as follows:

Col., John W. Andrews.
Lieut.-Col., Oliver P. Hopkinson.
Maj., Thomas A. Smyth.
Adjutant, Wm. P. Saville.
Q.-M., Thos. Y. England,
Surg., David W. Maull.
Asst. Surg., Saml. D. Marshall.
Chap., Thos. O. Murphey.
Sergt.-Maj., James Lewis.
Q.-M.-Sergt., Frank Wilson.
Com.-Sergt., Chas. S. Schaeffer.
Hosp. Stew., Archibald D. O'Mera.
Drum Maj., Patrick Dooley.
Prin. Muc., John B. Ritchie.

Company A.

Capt., Evan S. Watson.
1st Lieut., James Parke Postles.
2d Lieut., Franklin Houseman.

Company B.

Capt., James Leonard.
1st Lieut., James A. Oates.
2d Lieut., James Rickards.

Company C.

Capt., Neal Ward.
1st Lieut., Frank McCloskey.
2d Lieut., Hugh Sweeney.

Company D.

Capt., Enoch J. Smithers.

1st Lieut., David S. Yardley.
2d Lieut., William F. Smith.

Company E.

Capt., Edward P. Harris.
1st Lieut., Wm. Y. Swiggott.
2d Lieut., Albert S. Phillips.

Company F.

Capt., Daniel Woodall.
1st Lieut., Benj. E. Adama.
2d Lieut., John W. Williams.

Company G.

Capt., Allen Shortledge.
1st Lieut., Alfred Gawthrop.
2d Lieut., John L. Sparks.

Company H.

Capt., John B. Tanner.
1st Lieut., John R. Vanlan.
2d Lieut., Ezekiel C. Alexander.

Company I.

Capt., Charles Lespee.
1st Lieut., Thomas B. Hizar.
2d Lieut., Isaac Van Trump.

Company K.

Capt., Thomas Crossley.
1st Lieut., William C. Inhoff.
2d Lieut., Henry H. Burton.

On the 28th of May, 1861, the first troops from Delaware moved towards the front, Companies A and B being assigned to Aberdeen, Companies D and E to Bush River. The remaining Companies of the regiment left Camp Brandywine on the 9th of June, and were stationed along the railroad in Maryland as far as Havre de Grace.

Early on the morning of October 20, 1861, the regiment left Camp Andrews and marched to Newport, where the cars were taken for Baltimore, whence the men were transported by steamboat to Fortress Monroe, disembarking at the latter place October 21, and took quarters at Camp Hamilton, a mile from the fort. In this winter camp strict discipline was maintained, and much attention was paid to the comfort and personal appearance of the men; so that the

regiment became one of the most noted quartered there.

On the 8th of March, 1862, the regiment witnessed for the first time an engagement with the enemy—the naval battle off Newport News; but no movement toward the enemy was made until May 9th, when the First Delaware was part of the forces that invested Norfolk. From this place the regiment moved to Suffolk, early in July, where it remained until September, when it was moved against the enemy in Northern Virginia. It became a part of the Third Division, Second Corps, and was engaged in the battle of Antietam, September 17, 1862. The previous day, Lieut. James Lewis had been wounded by a shell and was the first man of the regiment to shed his blood in the war. Many lives were sacrificed on the 17th, Captains Watson, Leonard and Rickards being killed, and Captains Yardley, Woodall and Shortledge, and Lieuts. Swiggett and Tanner wounded. The color-guard were shot down, either killed or wounded, and the colors were so torn and tattered that they were never carried into another fight. The regiment received a fearful baptism of blood, losing nearly one-third of its men; but acquitted itself with great bravery.

On the 19th the regiment marched to Bolivar Heights, and the work of recuperation was begun.

In the battle of Fredericksburg, December 13, 1862, seventeen members of the regiment were killed and a large number wounded, the men remaining on the field "until every cartridge was expended." In this engagement Col. John W. Andrews commanded the Third Brigade and Maj. Thomas A. Smyth had charge of the regiment.

A period of routine service now followed, which was broken by the movements which brought on the battles of Chancellorsville, May 1 to 4, 1863, in which the regiment lost nearly fifty men from all causes, Maj. Woodall being wounded. Here, as in the battle of Gettysburg, which next followed, the regiment acquitted itself in such a manner that its coolness and valor were warmly commended. Under the gallant Col. Smyth, who commanded the Second Brigade, Third Division, Second Army Corps, in the latter battle, the First Delaware did its work fully and bravely, and of its officers Capt. J. Parke Postles and Lieut. W. P. Seville were especially commended for their meritorious services on special duty. In this battle Capt. M. W. B. Ellegood was killed July 2d, and Lieut. Wm. F. Smith, at that time in command of the regiment, on the 3d, falling with his sword in one hand and a captured Confederate flag in the other. Color-Sergeant John M. Dunn also distinguished himself by leading the regiment across the stone wall, colors in hand, when a counter-charge was made. In this counter-charge, upon the thickest of the enemy, four battle-flags were captured and numerous prisoners taken. The loss of the regiment was twelve killed, forty-five wounded and eleven prisoners.

The regiment belonged to the body of men which

followed closely in pursuit of Lee, and was successively engaged in the battles of Auburn and Bristoe Station, Va., October 14th, at Locust Grove, November 27th, and Mine Run, November 30, 1863.

On the 18th of December, 1863, two hundred and ten officers and men of the regiment were re-mustered for three years, under the offer of the government, being the first organization in the Army of the Potomac to accept that proposition, which included a thirty days' furlough home. The veteran part of the regiment reached Wilmington January 1, 1864, and was given an enthusiastic reception. "The men marched into the city amid the firing of cannon, the ringing of bells and through streets densely thronged to the Town Hall, where an elegant and bountiful dinner was spread for them. A splendid set of colors was presented to the regiment on this occasion which was carried to the end of the war and afterwards consigned to the care of the State Historical Society."

Its furlough having expired, the regiment returned to its duties in the field February 9, 1864, joining its brigade at Stony Mountain, Va., and in the spring of that year again moved with the troops which engaged in the battles of the Wilderness and Spottsylvania from May 5th to May 17th, and which opened the way towards Petersburg. The regiment was engaged in intermediate battles as follows: North Anna, May 23d-27th; Cold Harbor June 1st to 12th; Before Petersburg, June 5th to July. After a short period of rest the regiment was engaged in the battles of Deep Bottom, July 27th, and August 14th to 20th; Ream's Station, August 25th; Gravelly Run and Hatcher's Run, October 27th; in each of which the First Delaware maintained its reputation for effective service. In the last battles Major William F. Smith, in command of the regiment, fell mortally wounded and died on the 11th of November, 1864. This ended the active campaign for that year. The regiment went into winter-quarters, and in March, 1865, again took part in the siege of Petersburg, which resulted in its capture April 2, 1865. The battle of High Bridge, April 7th, though short, was fiercely contested, and here General Thomas A. Smyth received a mortal wound, from which he died two days later. His body was embalmed and taken to Delaware, where it was interred with appropriate honors. He was one of the bravest officers in the army, self-made and thoroughly reliable and reached the position which he occupied without political influence, and through his own indomitable pluck and courage. Commissioned major October 10, 1861, he was promoted lieutenant-colonel December 18, 1862, colonel February 23, 1863, and brigadier-general October 1, 1864.

General Smyth was born December 25, 1832, in Ballyhooly, county of Cork, Ireland, and received a limited education. He came to America in August 1854, and settled in Philadelphia, as a wood-carver. He served with General Walker in Nicaragua, and in 1858 came to Wilmington, where he married Miss



The Right Hon. Genl.
Bischoffberger



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Amanda M. Ponder. In April, 1861, he raised the first company for the three months service, and, as heretofore stated, joined the Twenty-fourth Pennsylvania Volunteers in Philadelphia. After the muster-out of the regiment Captain Smyth returned to Wilmington, where, on October 22d, he was elected major of the First Delaware Regiment. On the last day of the fight at Gettysburg he was wounded on the nose and head by fragments of a shell. In April, 1864, he was assigned to the command of the Irish Brigade, and fought with it in the battles of the Wilderness and Spottsylvania. When the general was killed he was riding in advance with his staff on the skirmish line, where he was mortally wounded by a Confederate sharp-shooter. He died on the day of Lee's surrender, and, it is said, was the last general officer on the Union side killed in the war.

The surrender at Appomattox Court-House, April 9, 1865, virtually closed the war and ended the active work of the regiment, but it was not until May 1st, that the long and tedious march northward was begun. On the 15th of May the regiment went into camp near Munson's Hill, in the neighborhood of Washington, where it remained nearly two months before it left the service. It participated in the grand review at Washington, on the 23d of May, 1865, the regiment being commanded by Lieutenant-Colonel J. C. Nichols. Colonel D. Woodall, of the First Delaware commanded the Third Brigade, Second Division, Second Army Corps, which included this regiment. The other Delaware troops in the review were in the Third Brigade, Second Division, Fifth Army Corps, and consisted of the Third Regiment, commanded by Capt. D. D. Joseph; the Fourth, commanded by Brevet Lieutenant-Colonel M. B. Gist; and the Eighth, commanded by Capt. John Richards.

Many of the enlisted men of the last three organizations were transferred to the ranks of the First, by General Order No. 94, and as it had also absorbed a portion of the Second Regiment, July 4, 1864, the First was in July, 1865, one of the strongest regiments in the Army of the Potomac, of which it had been a part since its longer enlistments. The regiment was mustered out July 12, 1865, and proceeded as a body to Wilmington, July 14th, where, after having been given an enthusiastic welcome home, it disbanded.

The *Second Delaware Regiment* was the first body of volunteer infantry in the State to form under the call for three years' men. Its regimental organization dated from May 21, 1861, but its ranks were not entirely filled up until five months later, on account of no State system to aid in this work. This cause also led to the taking of companies from outside of the State in order that its organization might be more speedily completed. Companies B, D and G were from Philadelphia, and Company C from Elkton, Maryland. The remainder of the companies were filled up at Wilmington, where headquarters

had been established by the organizer of the regiment, H. W. Wharton, of the United States army. The men rendezvoused at Camp Brandywine during the summer of 1861, and when the roster was completed the following were the officers:

Col., H. W. Wharton.
Lt.-Col., W. P. Bailey.
Major, Robert Andrews.
Adjutant, Samuel Canby.
Qt.-Master, George Plunket.
Surgeon, David W. Houston.
Asst. Surgeon, William Habb.
Sergt. Major, William H. Brady.
Hosp.-Steward, John C. Claypoole.
Q.-M.-Sergt., Benj. F. Hodges.
Comm.-Sergt., Henry C. Nelson.

Company A.

Capt., David L. Stricker.
1st Lieut., Thomas M. Wenle.
2d Lieut., John Evans.

Company B.

Capt., Charles H. Christman.
1st Lieut., Thomas F. Guyer.
2d Lieut., William Fennimore.

Company C.

Capt., Benjamin F. Ricketts.
1st Lieut., W. F. A. Torbett.
2d Lieut., John G. Simplex.

Company D.

Capt., John Perry.
1st Lieut., William Helmbold.
2d Lieut., Andrew J. Krouse.

Company E.

Capt., Robert E. Moorehouse.
1st Lieut., George Helmbold.
2d Lieut., John Bogla.

Company F.

Capt., Peter McCullough.
1st Lieut., Charles Reynolds.
2d Lieut., Frank Decker.

Company G.

Capt., John F. Heickley.
1st Lieut., Charles D. Foy.
2d Lieut., Thomas I. Moore.

Company H.

Capt., James Plunkett.
1st Lieut., Lewis Nolen.
2d Lieut., John Devinney.

Company I.

Capt., Samuel D. Wood.
1st Lieut., Gideon B. Todd.
2d Lieut., John Keesey.

Company K.

Capt., Joseph M. Barr.
1st Lieut., Robert Holt.
2d Lieut., Charles Evans.

On the 17th of September, 1861, eight companies of the regiment left Camp Brandywine and marched to Cambridge, Md., where they went into a camp of instruction under Brigadier-General H. H. Lockwood. Companies I and K joined the command in October and November, 1861, and also prepared for service in the field. The regiment moved with the brigade of General Lockwood to Accomac, Virginia, December 1, 1861, and remained in that locality until March 1, 1862, when it was transferred to Baltimore to do garrison duty. In May, the same year, it joined the Army of the Potomac under General McClellan, and at the battle of Fair Oaks was assigned to the brigade of General W. H. French. Here the first active field service of the regiment began and continued almost incessantly during the siege of Richmond, participating in the general engagements of Gaines' Mill, Savage Station, Peach Orchard, White Oak Swamp and Malvern Hill, from June 27 to July 1, 1862. In the battle of Antietam, September 17, 1862, the regiment held an advanced position and was warmly commended for its bravery. The battle of Fredericksburg was the next eventful incident in the history of the regiment, and here, too, it was in the forward part of the fray and covered the retreat from that hotly-contested field so ably that it attracted the attention of the army. Soon after a contemporary writer spoke of the regiment as follows:¹

¹ "The regiment designated upon the army register as the 'Second Delaware,' but more familiarly known among the veterans of the Army of the Potomac as the 'Crazy Delawares,' was the first regiment raised in

¹ New York Times, January 13, 1863.

the State for three years or during the war. It has been prominent in every general engagement of the Grand Army of the Potomac. It is commanded by Colonel W. P. Bailey, a cool, brave and experienced officer, who possesses the confidence and affection of his men, and will never disappoint the hopes of his country.

"At the battles of Gaines' Mill, Oak Swamp, Peach Orchard, Savage Station, Antietam and Fredericksburg this gallant regiment, now reduced to about two hundred and fifty effective men, fought with a valor and self-sacrificing devotion that won the applause of the whole army. It was the last to leave the field at the bloody fight of Gaines' Mill, and at Fredericksburg it led the charge of Zook's Brigade, and laid its dead nearer the rebel works than any other regiment."

In this charge Colonel Bailey was wounded by a fragment of a shell, but was soon again able to lead the "crazy Delawares" to further deeds of glory. The regiment was at Chancellorville, May 2, 1863, and performed its full share in the sanguinary struggle at Gettysburg. The division to which it belonged met and turned back the advancing Confederates, driving them beyond the base of Little Round Top, when it was in turn forced to retreat. On the 3d day of July a line of the Second Delaware, led by Captain John Evans, took more prisoners than the number of men under his command, and the regiment was in the advance of the Union forces which pursued the stricken enemy. This disposition to lead the advance upon the foes of the Union was continued in the campaign of the fall and winter of 1863, the regiment especially distinguishing itself at Bristol Station and Mine Run. In the later campaigns it was in all the general engagements of the Second Army Corps, of which it was a part until the expiration of its service, in the summer of 1864. At the battle of Spottsylvania, May 11, 1864, Captain John Evans fell mortally wounded, dying the following day, when Lieutenant-Colonel D. L. Stricker was also killed on the same field of battle. The regiment was now reduced to such a small number that it was attached to another organization in these movements against the enemy. The remains of those brave officers were taken to their homes at New Castle and Dover, where the people united in giving them honored interment.

Of the original officers Colonel Wharton resigned in August, 1862, when Lieutenant-Colonel Bailey was promoted to the colonelcy, serving in that office until May 12, 1864. In November, 1863, Major Stricker was promoted lieutenant-colonel of the regiment and Captain B. F. Ricketts became the major. Captain Peter McCullough was promoted lieutenant-colonel after the battle of Spottsylvania and in this office was wounded at Cold Harbor, when he was obliged to leave active service and was appointed commissioner of subsistence of volunteers.

Peter McCullough, colonel Second Regiment Delaware Infantry, was born in Tyrone County, Ireland, in the year 1830. From a child he had been a witness of the tyranny practiced upon his race. When, therefore, he arrived at the age of twelve years, his young heart thirsting for freedom, he found it no longer possible to dwell in a land where arbitrary power made the lives of the inhabitants a round of

unhappiness and misery, so he set sail for America, and eventually arrived safely on its shores.

After tarrying for a season in the city of New York, he went to Philadelphia and served an apprenticeship. He then went to Wilmington and started a shoe store at Sixth and Market Streets. In this, as in all other matters in which he subsequently engaged, he was faithful to the end.

When the Civil War broke out and President Lincoln issued his second call for troops, Colonel McCullough joined the Second Regiment as captain of Company F. This regiment was destined to achieve a gallant record, and Colonel McCullough was noted for his daring deeds from the day it went under fire. In every engagement he bore himself with conspicuous gallantry, and participated in almost all the battles of the Army of the Potomac. In the course of his service he was wounded on three different occasions.

In February, 1864, he was promoted to a major, and in the following May he became colonel of the regiment. His heroic conduct at Antietam induced Mr. Lincoln to write him a personal letter of a very complimentary nature.

At Petersburg he was wounded so badly as to be taken from the field for dead, and was sent home. For three months he lay between life and death, during which time the term of his regiment expired. His health, from the nature of his wounds, was such as to incapacitate him for further field duty, and yet wishing still further to serve his country, his friends applied for and he was quickly appointed a commissary of subsistence with the rank of captain, and in this capacity he served until the conclusion of the war.

Colonel McCullough was a man respected and beloved by his command, and he never hesitated to cheerfully share their privations and hazards. Where danger was the most imminent there he recognized his post of duty, and it was there he was ever to be found. He possessed the esteem and confidence of his fellow-citizens to a full degree in every relation of life which he assumed.

On his returning again to civil pursuits, he started a shoe manufactory in Wilmington and was very successful. Ever since the war he was a constant sufferer from his wounds, which culminated in blood-poison and eventually caused his death November 23, 1885.

Surgeon David W. Houston left the regiment July 1, 1863, when he was advanced to the position of medical director of the Second Army Corps, which he filled with distinction. Dr. Phil. M. Plunkett succeeded him as regimental surgeon.

Sergeant-Major W. H. Brady became adjutant July 4, 1862, and served in that office until after the battle of Gettysburg. In that engagement he was wounded. He subsequently became an aid on Gen. Barlow's staff and served as such until June 22, 1864, when he was taken prisoner at Petersburg and was not exchanged until March 1, 1865.



John Smith

DEPARTMENT OF THE ARMY

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UNITED STATES DISTRICT COURT, Southern District of New York
APPROPRIATELY FILED AND INDEXED

After having been in contact with the Navy, he was able to find employment, serving as a pilot. He then went to a lumber mill and started work at St. John's, Cape Breton. During the war, he worked in which he subsequently engaged in until he died.

When the Civil War broke out and I enlisted at once, my first assignment was as a private in the 10th Cavalry. I fought in the Indian wars, and then joined the Second Regiment as captain of Company E. This regiment was decorated for its gallant record, and Colonel McIntosh gave me the honor of leading our men from the day it went to war. In every engagement he bore himself with courage and gallantry, and participated in almost all of the battles of the Army of the Potomac. In the course of his service he was wounded on three occasions.

In February 1864, he was promoted to captain in the 1st Cavalry. May he was made colonel and assigned to the 1st Cavalry. Has been made a full Antislavery Agent. He is now in the 1st Cavalry. A personal letter of congratulatory nature.

At Petersburg he was wounded severely in the leg, taken from the field for dead, and was sent to the Florence hospital, but before he was discharged he was engaged which gave the term of his contract. In strength, from the nature of his wounds, he was as unable to continue him for further military service as to still further to serve his country. His country needed for him he was quickly appointed as necessary of subsistence with the rank of Major. In this capacity he served until the close of the war.

Colonel Macdough was a man of great energy, and his command, and the men under it, were then privations, and the winter was the most tormentful of his life. His post or bivouac was there all winter. He passed the winter of 1862-3 following him to a fine degree of wear and tear which he summed,

On his return to an active political life, a stroke of fate in Wilmington was successful. Later, during the war, he was shot from his wounds, which caused a permanent and eventually caused him to die in 1877.

Surgeon David W. Houston left the U. S. Army, where he was advanced to the rank of major, to the Second Army, and filed with distinction. Dr. Ph. M. D., completed his postgraduate studies at

Second Lieutenant Major W. H. Bailey, Jr., July 1, 1912, was served in the same capacity at Glatferry, Ia. In that capacity he was killed. He subsequently became a flight instructor and served as such until 1917 when he was taken prisoner in France and not exchanged until March 1, 1919.



Peter McTearnaugh

Lieutenant Thomas M. Wenie, of Company A, was wounded at Fredericksburg December 13, 1862, which unfitted him for active duty. He was then ordered to take command of the provost guard at Wilmington, where he remained until the close of the war, when he received a commission in the United States army. The officers of the regiment were all brave men and many promotions were made, as will be seen by reference to the muster-out rolls.

On July 1, 1864, the work of mustering out the regiment began, after those men who had been added as recruits were transferred to the First Regiment. Companies A and B were mustered out at Wilmington July 1, 1864; Companies C, D, F and G at City Point, the same day; Company H, near Petersburg, August 12, 1864; Company I, at the same place, September 14, 1864; and Company K, on October 1, 1864.

At the Union State Convention, held in the summer of 1863, it was resolved that the First and Second Delaware Regiments should be provided with new battle-flags, and Samuel M. Harrington, Jr., of New Castle County, Henry W. Draper, of Kent County, and Jacob Moore, of Sussex County, were appointed to carry out that purpose. They solicited funds from the loyal people of the State and procured two beautiful blue flags, trimmed with orange-colored fringe, which were ready for presentation in November, 1863. On one side of the flag was the figure of an eagle, on the other the names of the battles in which the regiment was engaged. After the close of the war these flags were placed in care of the Historical Society of Delaware, which has since preserved them.

Third Regiment Volunteer Infantry.—The work of forming the Third Regiment of Volunteers for the term of three years was begun late in 1861, but was not actively pushed until the spring of 1862. As many of the men were from the central and southern parts of the State, a rendezvous was established at Camp Fisher, near Camden, where the recruits were drilled and prepared for service in the field.

When the regiment left camp its organization was as follows:

Col., Wm. O. Redden.
Lieut.-Col., Samuel H. Jenkins.
Major, Arthur Maginnis.
Surgeon, Wm. Marshall.
Asst. Surg., Thomas E. Dawson.
Chaplain, Thomas W. McClary.
Adjutant, Wm. R. Aldred.
Q.-M., Edmund Townsend.
Q.-M.-S., Ennal Robinson.
Com.-Sergt., Edwin Wood.
Hospital Steward, John C. Hutton.

Company A.

Capt., Fred. Hackett.
1st Lieut., Alfred D. Vandever.
2d Lieut., Wm. H. Lancashire.

Company B.

Capt., James B. Marr.
1st Lieut., James A. Haughey.
2d Lieut., Wm. Gallagher.

Company C.

Capt., Wm. B. Dorrell.

1st Lieut., Philemon Green.
2d Lieut., Robert Spurge.

Company D.

Capt., Levin B. Day.
1st Lieut., George W. Joseph.
2d Lieut., Purnell I. Pettijohn.

Company E.

Capt., William H. Plunkett.
1st Lieut., Benj. F. Hutchinson.
2d Lieut., William D. Sparks.

Company F.

Capt., William J. McKaig.
1st Lieut., A. L. Anderson.
2d Lieut., Daniel Clifton.

Company G.

Capt., James L. Quigg.
1st Lieut., Osbourn Watson.
2d Lieut., John H. Collins.

Company H.

Capt., Thomas Draper.
1st Lieut., John H. Cade.
2d Lieut., Horace A. Lewis.

Company I.

Capt., James E. Stewart.

1st Lieut., Mahlon H. Preston.
2d Lieut., George C. Webb.

Company K.

Capt., James H. Barker.
1st Lieut., Richard E. Smith.
2d Lieut., George W. Scott.

Colonel Redden resigned in January, 1863, and in March, Samuel H. Jenkins was promoted colonel, Capt. William B. Dorrell become lieutenant-colonel March 20, 1861, serving until he was killed at Petersburg, June 18, 1864. Major Maginnis was succeeded in his office by Capt. James B. Marr, and he in turn by Capt. Frederick Hackett, March, 1863. Capt. James E. Bailey was last promoted major, and was fatally wounded at Hatcher's Run, Feb. 6, 1865.

The regiment moved from Camp Fisher the latter part of May, 1862, and proceeding to Harper's Ferry, was there engaged in battle the 28th of that month, intercepting the northward march of Stonewall Jackson. Thence it was successively engaged at Sulphur Springs, Chantilly and at Antietam, Md., September 17, 1861. After the latter battle the regiment moved to Frederick City, Md., where it performed garrison duty nearly a year, next being stationed at the Relay House, near Baltimore. In the spring of 1864 the regiment became a part of the Third Brigade, Second Division, Fifth Army Corps, and participated in all the movements of that army. At the battle of Cold Harbor, June 2, 1864, Adjutant Purnell I. Pettijohn was killed, and on the 18th of the same month Lieut.-Col. Wm. B. Dorrell fell while leading a charge on the enemy's works. On the 26th of June, Capt. Stewart, of Company I, was wounded. It was also in the battles before Petersburg, July 30th and Weldon Railroad, August 18 to 21, 1864, invariably acquitting itself so as to reflect credit upon the State and the Union which it served. Its battle-flag, presented by Major-General Henry Du Pont, when it went into service, was completely riddled by the balls of the enemy, so that in the fall of 1864 but a remnant was left of it, and the tattered ensign was returned to the donor, when new colors were supplied.

After the surrender of Lee the regiment marched to Arlington Heights, where it lay several weeks. Its recruits were transferred to the First Delaware and those who had enlisted in the earlier stages of its organization were mustered out June 3, 1865, proceeding home with the Fourth.

Fourth Regiment Volunteer Infantry.—The organization of this regiment of three years' men was begun early in June, 1862, those first enlisted being mustered at Wilmington by Col. A. H. Grimshaw. In the latter part of the same month the men went into camp at Brandywine Springs, where they were drilled and formed into companies. The regiment was fully organized in September, 1862, when the officers were:

Col., A. H. Grimshaw.
Lieut.-Col., C. Carroll Tevis.
Major, Charles E. La Motte.

Adjutant, Wm. H. Cloward.
Q.-M., John J. Toner.
Surgeon, J. B. Lyons.

Chap.,¹ Wm. H. Fries.
Sergt.-Major., Wm. H. Poulston.
Q.-M.-Sergt., Edward Jeffries.
Com.-Sergt., John Armstrong.
Hosp. Stew., Wm. Brown.

Company A.

Capt., Andrew J. Williams.
1st Lieut., Evan C. Stotzenburg.
2d Lieut., Albert Price.

Company B.

Capt., Moses B. Gist.
1st Lieut., William A. La Motte.
2d Lieut., Pierce Nields.

Company C.

Capt., Frank McCloskey.
1st Lieut., Wm. C. Scott.
2d Lieut., John H. Townsend.

Company D.

Capt., George W. Curry.
1st Lieut., John R. Van Loan.
2d Lieut., Joseph H. Wheeler.

Company E.

Capt., John C. Harper.
1st Lieut., D. E. Buckingham.
2d Lieut., John H. Carson.

Company F.

Capt., Daniel H. Kent.
1st Lieut., Henry Gawthrop.
2d Lieut., Wm. Stotham.

Company G.

Capt., Wm. H. McClary.
1st Lieut., Wm. H. Burnett.
2d Lieut., Aaron P. Osmond.

Company H.

Capt., Thomas H. Reynolds.
1st Lieut., Hzekiah Cullen.
2d Lieut., Wm. Warner.

Company I.

Capt., Harlan Gause.
1st Lieut., S. Rodman Smith.
2d Lieut., Richard H. Webb.

Company K.

Capt., Joshua S. Valentine.
1st Lieut., Thomas H. Challenger.
2d Lieut., Eldridge F. Yardley.

Most of the men in the foregoing companies were from New Castle and Kent Counties, except Company C, which contained a large number of ex-prisoners from Fort Delaware, who had taken the oath of allegiance to the Union.

In October, 1862, the regiment left Brandywine Springs and marched to the Kennett Pike, where the Third Pennsylvania Reserves were relieved, and Camp Du Pont formed to guard the powder-mills in that neighborhood. This camp was broken November 10th, in a severe snow-storm, in which the regiment proceeded to Wilmington and was quartered in Pusey's factory until the following day, when it was removed to Arlington Heights and soon after to Camp Vermont, four miles below Alexandria.

The regiment remained in winter-quarters until May, 1863, when it made a feint movement towards Richmond under Gen. E. D. Keys. It remained on the Chickahominy until July 5, 1863, when a retrograde march was made down the Peninsula—almost eighty miles in a little more than two days. Lieut.-Col. Tevis having resigned to form a cavalry regiment in Maryland, Major Charles E. La Motte was promoted to that position, and Capt. Moses B. Gist was promoted as major. Subsequently, on Col. Grimshaw's resignation in the latter part of December, 1864, La Motte was promoted to the rank of colonel. This position he retained until the regiment was mustered out, although later on detached duty.

In January, 1864, the regiment went into winter-quarters at Fairfax Court-House and remained at that place until May 4, 1864, when it moved to Rappahannock Station. Subsequently it moved to Port Royal and embarked at that place May 28th and was engaged in the battle of Bethesda Church, June 2, 1864. In this engagement Lieut. Richard H. Webb, of Company I, was killed and twenty others were killed or wounded. The Fourth was in the movement on Petersburg, June 17th and 18th, and sustained heavy losses, nearly one-third of its men being disabled, Capt. Reynolds killed and Col. Grim-

shaw wounded. In the engagements which followed, the regiment was aggressive in its movements upon the enemy, and was frequently in the advance, as part of the Third Brigade, Second Division, Fifth Corps. Its losses from all causes in 1864 were one hundred and eighty-nine men. In 1865 the regiment was in the general engagements of Rowanty River, White Oak Roads, Hatcher's Run, Five Forks and Appomattox Court-House. In the former affair, Sergeant Alpheus Wilson, of Company F, captured thirteen men; but in the battle of White Oak Roads that brave officer lost his life, and Captains Stotzenburg and Challenger were taken prisoners. In the battle of Five Forks, April 1, 1865, Capt. Wm. H. McClary was in command of the decimated ranks of the regiment, and being killed, the command passed to Capt. D. E. Buckingham. The number of available men was now very small, so that at Lee's surrender but sixty-three men were in line. The regiment marched to Arlington Heights, where the recruits were transferred to the First Regiment. The original members remaining were mustered out June 3, 1865, and reached Wilmington June 6, 1865, where a hearty welcome awaited them, and a reception was tendered at the City Hall, and a collation was served at the Institute. Speeches of welcome were made by Mayor Maris, Revs. Wiswell and Quigley, Capt. J. S. Valentine, in behalf of the Fourth, replying. On the 7th the men were paid off and dispersed to their homes; but on the 22d of June, 1865, the Fourth and other disbanded troops were again given an enthusiastic reception at Newport, Chaplain Tull and Col. A. H. Grimshaw being the speakers.

Fifth Regiment Volunteer Infantry.—This regiment was organized under the call of the President, August 4, 1862, for three hundred thousand nine-months' men. Most of its members were enlisted in October and November, 1862, but remained in civil life, subject to being ordered into active military service. The companies were equipped, and assembled at their armories for instruction twice per week. These companies were all from the northern part of the State. The regiment was first called on to perform active duty June 20, 1863, when five companies were ordered to Fort Delaware to strengthen its garrison. The remainder of the regiment was ordered to Perryville, Md., the following day, to relieve a New York regiment, but soon after joined the First Battalion at Fort Delaware. The departure of these men drew heavily upon all classes of the people of Wilmington, but was especially noticeable in the case of the Scott Methodist Episcopal Church of that city. It was deprived of most of its male members, among the soldiers of the Fifth being six class-leaders, twelve Sabbath-school teachers and seven trustees. Such patriotism deserves to be noted.

The regiment did good service until the 6th of August, 1863, when it returned to Wilmington and was mustered out August 6 to August 10, 1863.

The Sixth Regiment Volunteer Infantry was also

¹ The Rev. William T. Tull, succeeded him.

composed of nine-months' men, who were mainly from the southern part of the State, the regiment being organized largely through the efforts of Colonel Jacob Moore, of Sussex County. The conditions of enlistment were like those of the Fifth, and like that regiment, it was not called into active service until the summer of 1863. On the 27th of June the commander of the Sixth, Colonel Wilmer, received orders to march with his command, and left the State for Havre de Grace to perform garrison duty on the Susquehanna. The regiment was very strong, having eight hundred and seventy-seven enlisted men and forty-two commissioned officers. Subsequently the Sixth was also ordered to Fort Delaware, and remained there until August 23, 1863, and the week following, when all the companies had been taken to their homes in Kent and Sussex Counties, except Company I, which was discharged soon after. These men were principally from the rural districts, and it was in behalf of their neglected interests that Governor Cannon issued his proclamation, July 1, 1863. Their return home at this time enabled them to resume their interrupted occupations in time to prevent much suffering in their families.

Seventh Regiment Volunteer Infantry.—This body was organized for thirty days in July, 1864, and the troops were known as "Emergency Men." The regiment performed garrison duty along the Baltimore and Ohio Railroad in Maryland, being stationed mainly at the bridges, whose destruction was threatened. No enemy was engaged in battle; but the duty assigned was faithfully rendered. The regiment returned to Wilmington August 11, 1864, when it was mustered out.

Eighth Regiment Volunteer Infantry.—The enlistments for this body were for the term of one year, and were made under the call of July 18, 1864. The organization of companies was begun in September and the men rendezvoused at Camp Smithers, on the Concord Pike, in Brandywine Hundred. Before the regiment could be filled up, it was ordered to move as a battalion of four companies Lieutenant Charles E. Evans being the regimental quartermaster. Captain J. R. Holt and Captain John Richards, as brevet officers, commanded the Eighth, the latter at the close of the service. On the 8th of October, 1864, the battalion left Wilmington for City Point, Va., where it was engaged in erecting fortifications. The men received a furlough to come home to vote, but returned to go into winter-quarters as part of the same brigade as the Fourth Regiment, and were in the same general movements and engagements around Petersburg, in the spring of 1865, as that regiment. It marched with the Third Brigade to Arlington, where sixty of the recruits were transferred to the First Delaware. Though in service but seven months, the battalion rendered very efficient aid, and had a varied, active experience, beyond most of the soldiers of the State. It was mustered out June 6th, and finally discharged, at Wilmington, June 10, 1865, there being in the bat-

talion at that time about one hundred and eighty men. On the 8th of June the ladies of Wilmington gave the returned soldiers a splendid collation at Institute Hall, where the battalion was quartered.

Ninth Regiment Volunteer Infantry was composed of one hundred days' men. Among those active in its organization was William Y. Swiggett, who was commissioned major September 13, 1864. The regiment was stationed at Fort Delaware to guard Confederate prisoners, and served about a month longer than its term of enlistment. It was mustered out, at Wilmington, January 23, 1865. Most of the men were from the northern part of the State.

First Delaware Cavalry.—Soon after the breaking out of the war battalions of cavalry were organized as Home Guards in different parts of the State, among them being the Red Lion Mounted Guards and the Delaware Light Dragoons. These companies, so readily organized, made the formation of a cavalry regiment as easy as possible, but no determined effort in that direction was made until the summer of 1862. On the 13th of August, that year, Napoleon B. Knight, of Dover, was authorized to raise four companies of cavalry in the State, and the work of securing enlistments was at once begun. Later, September 9, 1862, the Hon. George P. Fisher was commissioned by the War Department to raise the First Regiment of Delaware Cavalry, to consist of twelve hundred men and to include Knight's Battalion. This regiment was under instruction at Camp Smithers, near Wilmington, Brandywine Hundred, in the fall and winter of 1862.

On the 17th of February, 1863, the First Battalion, under the command of Major Knight, left this camp and proceeded overland to Drummondtown, Va., to join the brigade of General Lockwood. The other battalions followed later in the season, and the service of the regiment was along the Potomac, aiding in intercepting the projected incursions into Pennsylvania and Delaware. In March, 1865, its headquarters were at Monocacy Junction, Md., from whence detachments were sent to various points in the State, including Baltimore and Annapolis. Detachments aided in the search of the assassins of President Lincoln, and Sergeant Gemmill, of Captain Townsend's Company, captured and brought into camp at Relay House, Md., George A. Atzerott, one of the accomplices of J. Wilkes Booth.

There were many transfers from the lower companies of the regiment to the higher companies, and the ranks were also filled up with recruits which complicated the individual history of the several companies. A number served until the close of the war, but its men were mustered out by detachments, those at the Relay House on June 6, 1865, and those at Baltimore June 30th, the same year. The first detachments were paid off at Wilmington, June 8th, and the latter July 3, 1865, when the men were returned to their homes.

During the later stages of the war several indepen-

dent companies of cavalry were raised for service in emergencies. Of these the Purnell Cavalry was at Wilmington in 1863 and 1864, and Captain Milligan's cavalry was mustered out at Wilmington August 15, 1864. Its service was similar to that of the Seventh Regiment of Infantry.

First Delaware Battery, Field Artillery.—Authority to raise a company of field artillery was given to Capt. B. Nields early in August, 1862, and on the 21st of that month the company was so far formed that it went into camp at Welden's Woods, near the "Blue Ball Inn," in Brandywine Hundred. After being instructed several months, the battery left Wilmington for Washington December 20, 1862, and served in the East in 1863. Subsequently it was in the Department of the Gulf, but in January, 1865, was transferred to the Department of Arkansas, and Captain B. Nields was appointed chief of artillery and ordnance of that department. The battery was stationed at Duval's Bluff until the spring of 1865, when it was taken to Little Rock, from which place it proceeded to Wilmington, reaching the latter city July 1, 1865. The men were then paid off and finally discharged two days later.

Second Delaware Battery, Field Artillery.—This company was raised under authority granted in June, 1863, to Capt. John B. W. Aydelott and First Lieut. Samuel D. Paschall, who opened a recruiting office in the City Hall, Wilmington. Its service in the field was not active, the battery being assigned to the defense of Wilmington the latter part of 1863 and the early part of 1864.

Crossley's Artillery.—In the emergency of 1863 Capt. Thomas Crossley received authority to raise a company of fifty artillerymen to serve not over ninety days, along the Wilmington and Baltimore Railroad. These men were enlisted at Wilmington in June and July, 1863, and the battery was in service as indicated until its muster out, September 30, 1863.

Captain Ahl's Heavy Artillery embraced a battery at Fort Delaware, whose members were ex-Confederates who had taken the oath of allegiance to the Union. The service was faithfully performed until the muster out of the men, July 25, 1865. Nearly the entire company was composed of those who had been taken to Fort Delaware as prisoners.

THE GRAND ARMY OF THE REPUBLIC.—This is an association of the soldiers and sailors of the Civil War, organized into State Departments, which, in turn, are composed of local posts. The order was founded in the winter of 1865-66, at Springfield, Ill., by Dr. B. F. Stephenson, who had been the surgeon of the Fourteenth Illinois Infantry Regiment, and it is in its practical operation much the same as any other secret society. Its objects are comprehended in the motto of the army: "Brotherhood, Charity and Patriotism." It aims to preserve and strengthen the fraternal feelings which bind together those who were united to suppress the Rebellion, and to perpetuate the memory of the dead patriots of the Union; to

protect and aid the needy soldier, and the widows and orphans of those who have fallen; to maintain true allegiance to the United States of America, its Constitution, and to discountenance whatever would weaken or impair the efficiency or permanency of the free institutions of our country; and to encourage the spread of justice, equal rights and universal liberty. The consequent terms of admission to membership are service, loyalty and the possession of those attributes which can awaken the feelings of brotherhood among the members of the order. Having such commendable purposes and such a large field to cultivate, it is not surprising that the order has flourished even beyond the anticipations of those who were instrumental in giving it life and character.

The first post, known as No. 1, was mustered at Decatur, Ill., April 6, 1866, and in less than twenty-two years the membership of the order has been increased to 372,674 comrades. The additions in a single year have been 47,000 members, whose zeal and patriotism is the hope of the order.

The charitable work of this aggregated body of men involves the expenditure of about half a million dollars yearly, whose distribution has cheered the homes of thousands made dependent by the fortunes of war.

Although in no sense a political body (its members belonging to all parties), the order has nevertheless become a potent factor in determining or modifying legislation bearing upon pensions or other matters intended to alleviate the condition of those who imperiled their lives in defense of our common country.

The commanders-in-chief of the Grand Army of the Republic have been Stephen A. Hurlbut, John A. Logan, Ambrose Burnside, Charles Devins, John F. Hartranft, J. C. Robinson, William Earnshaw, Louis Wagner, George S. Merrill, Paul Van Der Voort, Robert B. Beath, John S. Kountz, S. S. Burdett and Lucius Fairchild. Dr. Stephenson, of Illinois, may be properly added to the above list, as he was the provisional commander-in-chief in 1866.

To Illinois also belongs the credit of having the oldest organized State Department, of which Gen. John M. Palmer was elected commander in July, 1866. Other State Departments were organized soon after, and in the early history of the Grand Army two posts were mustered in the State of Delaware. A lack of interest prevented the successful maintenance of the order at that time, and after a few years, work was suspended and no record of the transactions preserved.

A second effort to create a State Department in Delaware was more successful, and under its jurisdiction fourteen posts were maintained in the fall of 1887. These posts were named after some deceased Union man, either in civil or military life, in accordance with the usage of the order, and were as follows:

| | |
|------------------------------------|-------------|
| No. 1, Gen. Thomas A. Smyth..... | Wilmington. |
| No. 2, Admiral S. F. Du Pont | Wilmington. |
| No. 3, Gen. A. T. A. Torbert..... | Dover. |
| No. 4, Charles Sumner..... | Wilmington. |
| No. 5, Capt. E. S. Watson..... | New Castle. |

| | |
|---------------------------------|----------------|
| No. 6, Major Wm. F. Smith..... | Dover. |
| No. 7, James A. Garfield..... | Milford. |
| No. 8, David L. Striker..... | Newport. |
| No. 9, Thomas M. Reynolds..... | Pleasant Hill. |
| No. 11, Gen. David Woodall..... | Wyoming. |
| No. 12, Gen. D. B. Birney..... | New Castle. |
| No. 13, Gen. U. S. Grant..... | Wilmington. |
| No. 14, Col. J. W. Andrews..... | Odessa. |
| No. 15, Gen. John A. Logan..... | Magnolia. |

Sketches of these posts may be found in the histories of the localities where they are located.

Under the present organization, the first Department Commander of Delaware was W. S. McNair, of Post No. 1, in Wilmington. The successive commanders have been Daniel Ross, of No. 1; J. Wainwright, of No. 2; Charles McCrary, of No. 11; J. S. Litzenburg, of No. 2; John M. Dunn, of No. 1. In 1887 the principal department officers were the following: Commander, John E. Mowbray, of No. 3; Senior Vice-Commander, Edward McDonough, of No. 5; Junior Vice-Commander, E. F. Wood, of No. 11; Chaplain, Rev. Absalom Carey, of No. 11; Medical Director, Dr. William N. Hamilton, of No. 14. The department headquarters were at Dover.

DELAWARE IN THE REGULAR ARMY, AND BREVET PROMOTIONS.—Early in the war a number of the citizens of the State entered the regular army as officers, the following receiving appointments in June and July, 1861: Joseph M. Barr, John V. Haughey, Richard H. Walworth, R. E. A. Grofton, John P. Wales, Robert S. La Motte, captains (A. J. Pleasanton had previously been commissioned as captain); Henry A. Du Pont, Thomas J. Bailey, Wm. J. Fetterman, Albert T. A. Torbert, first lieutenants; George B. Rodney, Jr., Henry C. Robinette, James Cullen, Wm. E. Appleton, Wm. J. Fisher and John B. Brinckle, second lieutenants.

General Henry H. Lockwood was the first brigadier-general of volunteers from Delaware, being appointed in the summer of 1861.

On the 5th of September, 1865, Adjutant-General Edward D. Porter announced that the following brevet appointments had been conferred on volunteer officers from the State of Delaware by the President of the United States: Brevet Brigadier-General, Daniel Woodall, colonel First Delaware Volunteers; Brevet Lieutenant-Colonel, Daniel H. Kent, captain Fourth Delaware Volunteers; Brevet Lieutenant-Colonel, Harlan Gause, captain Fourth Delaware Volunteers; Brevet Major, D. Joseph, captain Third Delaware Volunteers; Brevet Major, B. F. Butler, captain Third Delaware Volunteers; Brevet Major, Henry Gawthrop, first lieutenant Fourth Delaware Volunteers; Brevet Major, E. T. Yardley, first lieutenant Fourth Delaware Volunteers; Brevet Major, John Richards, captain Eighth Delaware Volunteers; Brevet Captain, William H. Cloward, first lieutenant, Fourth Delaware Volunteers; Brevet Captain, William H. Bird, first lieutenant First Delaware Volunteers; Brevet Captain, J. M. Bryan, first lieutenant First Delaware Volunteers.

THE UNION LEAGUE gave the loyal citizens of

Wilmington an opportunity to cultivate patriotic sentiments, as well as affording a means for developing social and fraternal feelings. On the 19th of March, 1863, the League opened its rooms in the Saville Building, Sixth and Market Streets, with a display of national flags and other patriotic devices. Dr. J. Franklin Vaughan was appointed president of the meeting; John H. Graham, Samuel Biddle, Daniel James, John P. McLearn and John W. Hawkins, vice-presidents. Stirring Union speeches were made by S. M. Harrington, Jr., Hon. Edward G. Bradford and Capt. John F. Allen, of Sussex County. The Wilmington Glee Club, H. F. Pickles, leader, sang patriotic airs, greatly inspiring a large gathering of citizens. The League subsequently held other meetings which had important bearings on the war.

BATTLE-FIELD MONUMENTS AT GETTYSBURG.—Delaware generously and fittingly recognized the valor of her soldiers on the memorable battle-field of Gettysburg, when its Legislature passed a joint resolution, April 9, 1885, which authorized the appointment of committees to locate and erect monuments showing what positions its troops occupied in the great battles of July, 1863. Under the provisions of this act, Major John T. Dent, Capt. J. Parke Postles and Lieut. John M. Dunn, of the First Regiment; Lieut-Colonel Peter McCulloch, Surgeon Philip H. Plunkett and Lieut. William H. Brady, of the Second Regiment; and the legislative committee, Enoch Moore, S. D. Roe, William H. Cooper, M.D., T. F. Armstrong and James Virden, visited Gettysburg June 18, 1885, and selected proper sites for the monuments. That for the First Regiment was chosen just on the left of the Bryan House, where the Confederates converged and their columns overlapped in the desperate charge of July 3, 1863. It was at this place that the regiment covered itself with glory when it led the counter-charge which destroyed the rebel columns and practically ended the battle. A point beyond the Bliss House was selected as a place for the tablet to mark the most advanced position of the regiment on July 2d.

A site for the monument of the Second Regiment, was chosen near the Rose House, the extreme left and front of the Union army, July 2d, when Brooks' brigade made a gallant charge to that point. The tablet was to be placed in front of the J. Hammerbach House, where the Second Regiment was also engaged on July 2d.

The contract for making the monuments was awarded to Thomas Davidson, of Wilmington, and the material selected was the Brandywine blue stone, so abundant in the northern part of New Castle County. An illustration of the monument of the First Regiment is given, the form and design of the Second Regiment being similar, which enables the reader to obtain some idea of their beauty and construction. The lower base is four feet six inches square and the monuments stand seven feet six inches high. The inscriptions are apparent in the cuts, and tell the story of Delaware's deeds in a terse manner.

These monuments were appropriately dedicated June 10, 1886, when the foregoing committees, the Governor, secretary of State and a number of representative citizens, proceeded to Gettysburg on that mission. The erection of the monuments was approved, and appropriate addresses were made, reciting the part that the troops of Delaware took in that battle. In behalf of the First Delaware, Lieutenant John M. Dunn, formerly color sergeant of that regiment, spoke, and

When the old Pennsylvania Bank building, which stood at the corner of Second and Lodge Streets, Philadelphia, was torn down in 1868, for the purpose of erecting the new United States appraisers' stores which occupy that site, the late Albert S. Nones, of Wilmington, who had been an officer in the First Delaware Veteran Volunteer Infantry, conceived the idea of converting the columns, which stood in front of the bank, into monuments for the heroic dead of

the War for the Union. At his suggestion, the Hon. Charles O'Neill, member of Congress from the Second Philadelphia District, presented a bill authorizing the use of the columns for such a purpose, and secured its passage through Congress. Plans for a monument were now drawn by A. B. Mullett, supervising architect, Washington, D. C., and the citizens of Wilmington set about to provide a site and base for the structure. A triangular piece of ground was secured at the apex formed by Delaware Avenue, Broome and Fourteenth Streets, where was erected the only soldiers' monument in the State of Delaware. The shaft rests upon the base which has been appropriately inscribed to the defenders of the Union, and is surmounted by a ball, upon which is perched an eagle throttling a serpent. The monument is both attractive and substantial and was unveiled with imposing ceremonies, May 30, 1871. General O. O. Howard, of the regular army, was the orator of the occasion.

Unfortunately, a debt for its construction was allowed to remain upon the monument, so that in the course of years its sale by the sheriff was threatened. Again Eli Crozier, who had been active in the work so far done, came to the rescue and by his patriotic efforts succeeded in collecting enough money to place the monument upon a firm financial basis, and, on Memorial Day, May 29, 1880, it was formally turned over to the Soldiers' Monumental Association. At that time that

for the Second, a similar duty was performed by Adjutant William H. Brady. The Hon. Enoch Moore delivered the monuments to the Battle-Field Memorial Association, into the membership of which the State by this act entered. These addresses and the work of the committee were fully reported, and have become a part of the records of Delaware. The entire expense to the State to thus perpetuate the loyalty and heroism of her sons was \$2000. A stirring oration was also delivered by George V. Massey.

Soldiers' and Sailors' Monument at Wilmington.—

body was composed of the following:—Washington Jones, president; Robert C. Fraim, secretary; Joshua S. Valentine, treasurer; Henry R. Bringham, Joseph K. Adams, N. R. Benson, J. Parke Postles, Samuel Harlan, Wm. McConnell, George G. Lobdell, Eli Crozier, William A. La Motte, James C. Johnson, Isaac S. Elliott, Edward L. Rice, Sr., John R. Marr, trustees. The exercises on this occasion were of an unusually interesting nature and were participated in by Companies A and B of the State Militia, General Thomas A. Smyth Post, No. 1, and Admiral S. F.



Du Pont Post, No. 2, of the Grand Army of Republic, as well as by a large concourse of the citizens. Since 1880 the monument has been held in trust by the



SOLDIERS' MONUMENT, WILMINGTON.

Monumental Association and it and the grounds are under the care of the committees appointed by the Grand Army Posts of Wilmington.

CHAPTER XIX.

DELAWARE AFTER THE CIVIL WAR—1865–1888.

THE events in the history of Delaware during the period succeeding the war down to the year 1888 are fixed so firmly in the memory of Delawareans that it is necessary to dwell upon those only which are of particular interest as a matter of historical record. Our narrative, therefore, for this period will be brief and lacking in the detail which, in the earlier and less familiar years, was indispensable to a thorough knowledge of the State's affairs, its progress and its public men. Pains have been taken, however, to close the chapter with a complete and valuable statistical summary of Delaware's resources—natural and industrial. To the general reader these statistics may seem tedious, but to a business man, whose mission is to collect facts and weigh their relative value statistics are always welcome. They are the atmosphere in which he moves, the data on which he bases his calculations, and anything which will help him in his business or suggest avenues to which he can turn with profit is more eagerly perused than would be well-rounded sentences, which attract without leaving behind any satisfactory impression. This, then, must be the apology in the present chapter which deals occasionally with statistics and figures, as they are necessary in order that a full understanding may be had of the history, the trade and commerce and manufactures of Delaware.

At the close of the war there was a bitter struggle in the State between the Democrats and Republi-

cans for the choice of State officers, members of the Legislature and a member of Congress. The election took place on the second Tuesday of November, 1865, the total vote cast being eighteen thousand four hundred and eight. For Governor, Gove Saulsbury, the Democratic candidate, received nine thousand eight hundred and ten, and James Riddle, the Republican candidate, eight thousand five hundred and ninety-eight. For Congress, J. A. Nicholson, Democrat, received nine thousand nine hundred and thirty-three, and J. L. McKim, Republican, eight thousand five hundred and fifty-three. The Legislature chosen was divided as follows: Senate, Democrats six; Republicans three. House, Democrats fifteen; Republicans six.

Gove Saulsbury, M.D., Governor of Delaware, was born in Mispillion Hundred, Kent County, Del., May 29, 1815. He was the third son of William Saulsbury, who was a leading man in his county, much respected and honored by his neighbors and fellow-citizens. His mother, the daughter of Captain Thomas Smith, was a woman of great force of character and remarkable piety. There were born to them six children, two of whom—one of the present United States Senators from Delaware and the present chancellor—survive. After an academic education and a partial course at Delaware College, Dr. Saulsbury studied medicine, and in 1842 received the degree of "M.D." from the University of Pennsylvania. The subject of his thesis was "Rheumatism." He commenced the practice of his profession in Dover, Del., and energy and application, added to natural aptitude for his work and sound professional acquirements, soon brought to him the fullest measure of success in his calling.

The exposure and hardship incident to the life of a physician in the country, being accepted with cheerfulness, only served to knit into his physical frame more than ordinary endurance and to develop him into a large, well-built man of commanding presence. The long and lonely rides which he took almost every day over the country afforded that time for reflection so essential to real mental growth and so constantly lacking in the life of to-day, particularly in cities. Being constantly brought in contact with the people of his county, his acquaintance was rapidly extended, and being naturally both a student and good judge of human nature, he acquired a large store of information about the individual members of the society in which he moved from day to day.

The very large participation in politics of physicians, more particularly in the rural districts of the State, has been noticeable for many years in Delaware, and Dr. Saulsbury was no exception. He always took a deep interest in political affairs; but it was long manifested only in the capacity of a private citizen, and for twenty years he devoted himself exclusively, assiduously and successfully to his profession. The current of his life was then, by circumstances wholly unexpected, greatly changed.

In 1862 he was elected to the State Senate, and at the second session of his term, in January, 1865, was elected Speaker of that body. The Legislature of 1863 was Democratic in both branches, while the Governor, William Cannon, was a Republican, having changed his party relations, in common with many others, during the Civil War. In Delaware, as in the Border States generally, there was at that period intense party feeling, and bitter animosities were aroused by circumstances still well remembered by those who were then old enough to apprehend them. It was under such conditions that Dr. Saulsbury commenced his public life. He was the acknowledged leader in the General Assembly, and was followed unhesitatingly. The sessions in which he sat there were much occupied with a political struggle between the Governor and the Legislature, and the Legislature of 1863 kept itself in session by adjournments from time to time, in order to be prepared for any emergency. Dr. Saulsbury, as a Senator, was chairman of the joint committee to inquire into the interference of troops with the election, and he conducted the investigation with great ability.

He was also largely instrumental in procuring the legislation providing for State aid to drafted persons to assist them in furnishing substitutes, under which the State debt was mainly created. His views on the policy of this legislation were freely expressed publicly and privately, and yet were often misrepresented. The small population of the State made it impossible to spare from the rural parts many of her citizens; she had contributed largely to the volunteer forces; the people liable to draft were seldom of sufficient means to provide substitutes. He considered it both the policy and duty of the State to aid her citizens in such an emergency.

On March 1, 1865, Governor Cannon died suddenly, and Dr. Saulsbury, by reason of his being Speaker of the Senate, became his constitutional successor. He administered the executive office with so much ability that in 1866 he was elected by the people to the office to which he had succeeded by reason of death. Thus, although a Governor is not eligible for re-election, Dr. Saulsbury administered the office for very nearly six years, from March, 1865, to January, 1871.

Both as a legislator and as the chief executive of the State, Dr. Saulsbury was an able and conscientious public servant. He brought to the discharge of his public duties a deep sense of personal responsibility never surpassed and very rarely equaled. It was the crowning excellence of his official life and a characteristic recognized by all who were brought into contact with him. An expenditure of public money which he deemed useless or unwise really grieved him; a faulty policy on any State matter, whether of omission or commission, disturbed him more than a personal loss. He had a strong will and asserted his opinions earnestly and often, as it seemed to those who differed with him, obstinately.

But they were his opinions and he took none second hand from any man.

While he was Governor, his messages were the product of his own brain, and written always by his own hand. They are equal to any in the history of the State, and are distinguished by wisdom of suggestion and force and clearness of expression. The perusal of them will show that he frequently discussed with much ability questions which would ordinarily be dealt with satisfactorily only after legal training.

While he was Governor the finances of the State were his special care, and to him his State is in no small degree indebted for the high credit which she has always had. Living in the capital, he always took an intelligent interest in legislation, and whether in or out of office he was a veritable "watch-dog of the treasury," whose effective criticism was always feared by the advocates of any questionable demand for the appropriation of the public money.

A consistent Democrat, he was a recognized leader of his party, and as such displayed so much sagacity that his counsel was not only valued but usually controlling.

At the close of his term as Governor he held no office and gradually retired from such active professional labors as he had before been engaged in. He lived quietly in Dover, never relaxing his interest in public affairs, and rendering constant and valuable service to his party and State by his advice on matters of party policy or State legislation.

He was frequently elected a delegate to the National Democratic Conventions, and in those bodies always received the recognition, which might have been expected by those who knew him at home.

Dr. Saulsbury always took an intelligent interest in the cause of education and the public-school system of the State. He was largely instrumental in founding the Wilmington Conference Academy, and its location at Dover was secured mainly by his influence. He was president of its board of trustees from the time of its organization until his death, and was also trustee of Delaware College.

As a member of the Methodist Episcopal Church, with which he united in 1843, he exercised so marked an influence, and his interest in its welfare was so appreciated, that he was selected to represent it in the General Council of Methodism in London, but his death prevented his attendance.

He had thoroughly the respect of the community in which he lived. A social and agreeable neighbor, a kind friend to the poor, warm in his attachments and affectionate in his domestic relations, he had the happy faculty of inspiring strong and enduring friendships. He was endowed by nature with a person well-formed, over six feet in height, erect and commanding, and a fine countenance, which at once commanded respect. He was married, November 1, 1848, to Rosina Jane, daughter of the late Isaac P. Smith, of Snow Hill, Md. They had five children, of whom only one, William, the youngest, survived



Gen. T. A. M.



Gove Scrubbury

him. The death of his wife, in 1874, and of his daughter two years afterwards, were afflictions keenly felt to the day of his death, which occurred July 31, 1881.

The session of the Legislature which began the first Tuesday of January, 1866, was chiefly occupied with unimportant measures. After the passage by the House of Representatives of the bill granting suffrage to the negroes in the District of Columbia, on January 22d, the following resolutions were offered in the Lower House of the Legislature, and at once adopted by a strict party vote. The resolutions also subsequently passed the Senate :

"Resolved, by the Senate and House of Representatives of the State of Delaware in General Assembly met, That we, the General Assembly of the State of Delaware, do hereby express our unqualified disapprobation of the bill lately passed by the Lower House of Congress, now pending before the Senate, conferring upon the negroes of the District of Columbia the right of suffrage, and consider the passage of such a law would be a lasting stigma and disgrace to the free white men of this country, and a sad commentary upon their intelligence.

"Resolved, Further, that the immutable laws of God have affixed upon the brow of the white races the ineffaceable stamp of superiority, and that all attempt to elevate the negro to a social and political equality of the white man is futile and subversive of the ends and aims for which the American Government was established, and contrary to the doctrines and teachings of the Father of the Republic.

"Resolved, Further, that, in our opinion, the passage of such a law by Congress is but the key-note of other wrongs and outrages to be hereafter inflicted upon the white people of the States.

"Resolved, Further, That we tender to the white people of the District of Columbia our deep and sincere sympathy for them in their distress, and denounce the act as a violation of their popular rights recently manifested by an election."

The Republican members voted against the resolutions, regarding it to be "improper for them to pass judgment on Congress for its action." Had the question then related to negro suffrage in the State, the sentiment of the Legislature, it was believed, would have been unanimous against it.

The State was out of debt at the beginning of the war, but at its close bonds amounting to one million one hundred and ten thousand dollars had been issued to meet the calls of the Federal government for soldiers. The receipts from railroad and other sources had been heretofore sufficient to meet expenditures, with a small surplus. The Governor, in his message, on January 3, 1867, urged upon the Legislature to incur no further debt until the debt then existing was paid, and approved the extension of the Maryland and Delaware Railroad, and other railroad improvements within the State as works of incalculable benefit. By the interference of the Federal government the laws of the State proved to be insufficient to punish crime committed by free negroes, and the Governor recommended the sale of this class into slavery as a punishment effecting the most salutary restraint against crime. He also urged the passage of restrictive laws against the immigration of negroes from other portions of the country, who were, with few exceptions, fugitives from justice in other States. His views of the Constitutional Amendment proposed by the Federal Congress were thus expressed: "Whatever may have been the expectation or object of Congress, the rejection of this amendment is demanded alike by every consideration of justice, patriotism and

humanity." In accordance with the Governor's recommendation, the Fourteenth Constitutional Amendment was rejected on February 5, 1867, by the following vote: House,—Yeas, 6; nays, 15.

In the latter part of the year 1866 Judge Hall, of the United States District Court, rendered a decision, releasing from imprisonment in Fort Delaware four persons who had been arrested, tried and convicted by the military authorities of the United States in South Carolina in December, 1865. The prisoners had been found guilty before a court-martial, of which General Devens was president, of having voluntarily aided in the assault made on the United States troops stationed at Brown's Ferry, South Carolina, in October, 1865. Judge Hall ordered the discharge of the prisoners on a writ of *habeas corpus*, on the ground that the military commission was without jurisdiction in the case, declaring it as his opinion that the Rebellion had ceased in April, 1865; and inasmuch as the President's proclamation, issued in June, appointing a provisional Governor for South Carolina, ordered "the district judge for the district in which that State is included to proceed to hold courts," the State was in the exercise of all its civil functions before the issuing of the order for the organizing of the commission by which the prisoners had been tried and condemned.

The Legislature held its regular biennial session in January, 1867. Among the acts passed, the most important were one for raising revenue by imposing a tax on auctioneers, those selling by samples, insurance companies, real estate agents, etc.; another, advancing the Governor's salary from \$1333.33 to \$2000 per annum; and one accepting the public lands donated to the State by the United States for the benefit of agriculture and the mechanic arts. Delaware College had been adopted as an agricultural school, and five commissioners were to be appointed by the Governor to act in conjunction with the trustees of that college. The land was to be sold, and the proceeds invested in United States bonds until applied to the purposes of the act. It was also provided that the punishment inflicted on negro and mulatto criminals should be the same as that received by whites for similar offenses. Repeated attempts have been made to establish a penitentiary, but without success. Larceny and burglary are now the only offenses punishable by whipping and pillory.

There were 1,217,927 acres of farming land in the State in 1867, of which the assessed valuation was \$29,591,198. The amount of railroad freight paid for the transportation of peaches during the season amounted to forty-five thousand dollars. In addition, immense quantities were sent by boats, of which no account was kept. At this time Wilmington was rapidly growing in size and importance. Its population was estimated at thirty thousand, and during 1867 there were erected in the city two hundred and seventy-eight houses, fourteen manufacturing establishments and three churches, at an estimated cost of

nine hundred and sixty-nine thousand dollars. The cost of maintaining the schools of the city was twenty-one thousand dollars. The right of suffrage in the State had not been as yet allowed to persons of color, and this class thus excluded numbered about three thousand five hundred. Active efforts had been made to secure equal rights to all, and a convention was held in Wilmington on the 4th of September for the purpose of promoting this object. Sundry resolutions were passed, of which the following are the most important:

"Resolved, That the theory of our government, the claims of impartial justice, the equal rights of citizens, and the loyalty and faithful services of the colored people demand that the right of suffrage be extended to them in common with all other loyal citizens; and we respectfully petition Congress to confer and secure the right at the earliest possible period of such legislation as it may deem right and appropriate."

"Resolved, That in the State of Delaware there does not exist a Republican form of government, because of the exclusion of a large number of her colored citizens from participation in the enjoyment and exercise of political rights, and because of their gross inequality of representation in the Legislature, whereby less than one-half of the citizens wield the power of the State, we hereby call upon Congress to assure us the guarantees of the Constitution of the United States in every particular."

"Resolved, That we demand the recognition by law of the entire equality of all American citizens, without regard to color, in all civil and political rights and privileges, and the protection and encouragement of the government to enable every man to occupy whatever position his virtues and intelligence may qualify him to hold."

An important decision in reference to the Civil Rights Bill was rendered in the Court of General Sessions in the October meeting. It was the case of the State against Moses Rash; it being proposed by the prosecuting officer to present the evidence of the complainant, Samuel Perry, a colored man, objection was made by the counsel for the defense that the laws of Delaware did not permit colored testimony when there are competent white witnesses.

Chief Justice Gilpin ruled that the testimony should be admitted, because he said it had been customary in his court to permit prosecuting witnesses to testify, even though they were colored; but he gave as his opinion from the bench, that the Civil Rights Bill of Congress, so far as it assumed to regulate and control the admission or rejection of testimony in this State, which was regulated by the laws of the State, was inoperative and void. Judge Wooten concurred, and Judge Wales dissented.

In 1868 the State financially was in a prosperous condition. As before stated, the debt contracted during the war amounted to one million one hundred and ten thousand dollars. The State was also liable for certain internal improvement bonds issued to railroad companies, amounting to three hundred and forty-six thousand dollars. The real and apparent indebtedness of the State in 1868 thus amounted to one million four hundred and fifty-six thousand dollars. The investments of the State at that time, consisting of bank stock and loans to improvement corporations, amounted to eight hundred and fifty thousand one hundred and fifty dollars, which, deducted from the debt, left six hundred and five thousand eight hundred and fifty dollars. The income derived from these investments was appropriated in

part to support the State government and in part to purposes of education. The amount thus applied to free schools during 1868-69 was thirty-six thousand eight hundred and sixty-seven dollars. The amount of income from all sources for the support of the government was thirty thousand three hundred and forty-nine dollars, which, with the previous balance on hand, made an unappropriated surplus at the close of the year of thirty-seven thousand seven hundred and ninety-six dollars. The principal sources of revenue to the State was the annual tax on the Philadelphia, Baltimore and Wilmington Railroad, and the tax in former years on banks. Upon the change from State to national banks, all but two had ceased to pay this tax. The tax on the railroads, although less than in previous years, was sufficient to pay the interest on the State debt. This decrease was ascribed to a diminution of passengers since the close of the war.

At a convention, held in June, to nominate delegates to the National Democratic Convention, the following resolutions were adopted:

"Resolved, That the elective franchise is a political privilege, and not a natural right, and is to be granted or withheld by the several States to their respective inhabitants as in the free, sound judgment and discretion of each State shall be deemed best for the public interest and welfare."

"Resolved, That we regard negro rule in this country, under its name of 'impartial' or 'universal suffrage,' as the vital issue against which, as the champions of a constitutional government founded on the consent of free white men, we are ever arrayed—and that our delegates to the National Convention, to be held at New York, while left to their own sound discretion in selecting worthy candidates for the presidency and the vice-presidency, are hereby instructed to vote for no candidate who is not clearly and distinctly in favor of ruling this country by the virtue and intelligence of white men only."

At a convention of the Republican party, held on April 23d, to nominate delegates to the National Republican Convention, the following resolutions were adopted:

"Resolved, That we approve the plan adopted by Congress for the reorganization of the rebel States; that its vital principle of impartial suffrage is just as well as politic, and that, in view of the action of Congress already had, as well as of natural justice, we express the hope that such an amendment of the Constitution of the United States will be made as will secure the application of the principle throughout the Republic."

"Resolved, That we give our voice to and pledge our assistance in the maintenance of the national faith and credit, insisting that in the payment of the debt, the spirit of contract shall be truly and honorably observed."

At the election for President, Andrew C. Gray, James P. Wilds and William A. Scribner, the Seymour Democratic electors, received 10,980 votes; and the Grant Republican electors received 7623—Democratic majority of 3357. The Legislature chosen at this election was entirely Democratic.

At the session of the Legislature of 1869 the Fifteenth Amendment to the Constitution of the United States was rejected by the following vote: Senate, March 17th: Yeas, Curtis B. Ellison, John G. Jackson—2. Nays, Jacob Bounds, Thomas H. Denney, Charles Gooding, John W. Hall, John H. Paynter, George Russell, James Williams, Speaker—7. House of Representatives, March 18th: Yeas, none; Nays, John G. Bacon, George F. Brady, John A. Brown, Lot Cloud, Isaac Connaway, Jacob Deakyne, William

Dean, Shepard P. Houston, Thomas J. Marvel, Philip C. Matthews, Whitely W. Meredith, Robert J. Reynolds, Peter Robinson, Albert H. Silver, William B. Tomlinson, Joseph W. Vandegrift, H. C. Wolcott, J. Hickman, Speaker—19.

There was a great improvement in the railroad facilities of Delaware in 1869. The Maryland and Delaware Railroad was completed to Easton, Talbot Co., Md.; the Dorchester and Delaware Railroad was extended from Seaford to Cambridge, Dochester Co., Md.; a branch road was constructed from Townsend station, on the Delaware River, to Massey's Cross-Roads, in Maryland; and the Junction and Breakwater Railroad was completed to its terminus at Lewes. But the most important event in the extension of railroads for the year was the completion of the Wilmington and Reading Railroad to Coatesville, a point on the Pennsylvania road and about thirty miles from Wilmington.

A Woman's Suffrage Convention was held in Wilmington in November, 1869, for the purpose of forming a State society to advocate the principles of the cause. There was a good attendance of men and women, many of whom were prominent in the movement in favor of woman's rights. The objects and sentiments of the convention were expressed in the following resolutions, which were adopted:

Believing that the "Government derive their just powers from the consent of the governed," that "all political power inheres in the people," men and women, and that "taxation without representation is tyranny," therefore,

1. *Resolved*, That we demand suffrage for the women of Delaware on equal terms with men, as their national right—because women are human beings, capable of rational choice, and tax-paying citizens of a free country entitled to a voice in making the laws they are required to obey.

2. *Resolved*, That the women of Delaware need suffrage in order to reform the unjust laws which now oppress them as wives, mothers and widows, in order to obtain equal educational and industrial advantages.

3. *Resolved*, That society needs the votes of women, because, as a class, women possess peculiar mental and moral characteristics which should be represented in the Government, and because their votes will promote peace, purity, temperance, economy and public order.

4. *Resolved*, That we will petition the Legislature to give the wives of Delaware the right to their own earnings; to the management, use and enjoyment of their own property; the right to make a will; an equal share with their husbands in the legal guardianship and control of their children, and, as a security of all rights, the rights of suffrage to women.

Believing the foregoing statements to be self-evident, founded in justice, truth and the revelation of the Divine will, concerning human rights and privileges,

Resolved, That we proceed to form a Delaware State Woman's Suffrage Association, auxiliary to the American Woman's Suffrage Association, under the following rules and regulations:

1. Believing in the national equality of the two sexes, and that women ought to enjoy the same legal rights and privileges as men; that as long as women are denied the elective franchise they suffer a great wrong and society a deep and incalculable injury; the undersigned agree to unite in an Association to be called "The Delaware Woman's Suffrage Association."

2. The object of this Association shall be to secure the rights of suffrage for women, and to effect such changes in the laws as shall place women in all respects on an equal footing with the men.

3. The officers of this Association shall be a President, Vice-Presidents, a Treasurer, a Corresponding and a Recording Secretary, and an executive committee of not exceeding fifteen persons, beside the President, Secretaries and Treasurer, who shall be members, *ex-officio*. All the officers shall be chosen at the annual meeting to continue in office for one year or until others are chosen in their places.

4. Any person may be a member of the Association by the payment

of an annual contribution to its funds, or a life member by the payment of twenty dollars.

5. The President and other officers shall perform the customary duties of their respective offices.

6. The executive committee shall audit the accounts of the Treasurer and manage the business of the Association; they may elect honorary members, call meetings of the Society, prepare petitions to the Legislature, issue publications and employ lecturers and agents, and take any measures they think fit to forward the objects of the Association, and may fill all vacancies that occur prior to the annual meeting.

7. The annual meeting of the Association shall be held at such time and place as the executive committee may appoint.

The Legislature of 1869 passed an "act providing revenue for the State," which regulated taxation as follows:

1. On all sales over one thousand dollars per annum, less commissions, freights and United States tax, one-tenth of one per cent., payable quarterly.

2. On manufactures, the same rate, with an allowance for the same productions.

3. On various law processes, recording deeds, registering wills, etc., various additional fees, varying from twenty-five cents to five dollars.

4. On foreign insurance companies, two and a half per cent. on the premiums received, payable quarterly; on home companies, one-half of one per cent., payable yearly.

5. On corporations (except banks, railroads, canal and insurance companies and loan associations), one-fourth of one per cent. on the cash value of their capital.

6. On private bankers and brokers and real estate agents, two per cent. on their annual receipts for brokerage and commissions.

7. On building and loan associations, one fourth of one per cent. on gross receipts.

8. On all collateral inheritance, legacies, and distributive shares over five hundred dollars, one and one half per cent.

9. On judgments, mortgages, bonds, stocks in foreign corporations, one-fourth of one per cent.

Provision was made for the appointment by the Governor of an assessor for each county to assess the tax, and for the collection of it by the State treasurer or his deputies. The provisions of the bill occasioned no little dissatisfaction in some parts of the State, and several remonstrances against its enactment were presented to the Legislature, to the effect that the tax on manufacturing interests of the State was excessive and would give a great advantage to the manufacturers of the adjacent States; that the tax of one-half of one per cent. on bonded and other indebtedness would cause capitalists to seek other markets for investment; and that the provisions of the bill were unjust, as it did not impose a tax upon the landed interests of the State.

Tax-bills were passed, imposing upon all railroads and canal companies in the State, "in addition to the tax now imposed upon them," a tax of three per cent. upon their net earning, inside the State, one hundred dollars a year for each locomotive, twenty-five dollars for each passenger car and ten dollars for each freight car; also a tax of one-fourth of one per cent. on the cash value of the stock of banks.

The ratification of the Fifteenth Amendment to the Federal Constitution was celebrated by the colored people and their friends, at Wilmington, on April 14, 1870. At a preliminary meeting, in which this action was determined upon, the following resolutions were adopted:

"WHEREAS, The nation has restored political rights to the colored citizens deprived of these rights heretofore simply on the ground of the color of the skin; and

"WHEREAS, The nation has thus planted itself anew upon the imperishable doctrine of the Declaration of American Independence:

"*Resolved*, That our grateful thanks are first due to that God who is

Lord of lords and King of kings; who controls the destinies of nations, and who maketh even the wrath of man to praise Him.

"Resolved, That the President, Cabinet, Congresses, Legislatures and loyal people, who proposed and sustained this restoration to us of political rights and privileges, have won our lasting gratitude.

"Resolved, That we hereby pledge to them to prove the fitness of the trust by the worthiness of our conduct. That, realizing the responsibilities resting on us, we mean to use the ballot for no merely narrow or selfish ends, but for the best good of the State and nation, thereby aiding to perpetuate a Union which our fathers and their fathers, their and our brothers, together helped to save."

The colored people determined to commemorate the event by a grand celebration in Wilmington. The people of the entire State, and the adjacent counties of Maryland, Pennsylvania and New Jersey, were invited to participate in the celebration, which proved to be a very enthusiastic one. There were sermons in the colored churches in the morning; a large procession in the afternoon of the various colored societies, orders, clubs, mechanical and other associations, day and Sunday-schools, and citizens with music, badges, banners and other decorations. A jubilee mass-meeting was held in the evening, with white and colored speakers, and other festivities.

The political canvass of the year in Delaware had more interest than usual, owing to the fact that the colored citizens would exercise the right of suffrage for the first time, under the operation of the Fifteenth Amendment. It was estimated at first that there would be about 4500 negroes in the State who would be qualified voters, and if the Republicans could secure all these without breaking their own ranks, they could overcome the usual Democratic majorities, as the whole number of voters in the State was little more than 20,000. On the other hand, the Democrats hoped, on account of the prejudice against negro suffrage which existed in the State, to draw off considerable numbers from the Republican party on that issue alone, and thus preserve, if not increase, their superiority in the State. Accordingly, the cry of "White man's party" was raised, and a convention was called to meet at Dover, the 10th of May, for the purpose of forming such an organization. The convention was held, but the leading members of the Democratic party in the State were not present. A series of resolutions were adopted, congratulating the party on its history, denouncing the radical party and arraigning it for creating a public debt, banishing the circulation of gold and silver, and substituting in its place a "worthless currency," and for striking down the dearest guarantees of liberty, denouncing the radical party for the passage of the Fifteenth Amendment, and declared it an outrage upon the people and a flagrant violation of the Constitution; declared that they would interpose no obstacles in the way of negroes voting, as long as the Fifteenth Amendment was the assumed law of the land, and gave a general invitation to all white men to unite with the Democratic party as a "white man's party."

The regular Republican State Convention was held at Dover on the 14th of June. Thomas B. Coursey, of Kent County, was nominated for Governor, and Joshua T. Heald, of New Castle County, for Represent-

ative in Congress. The platform recognized the amendments of the Constitution securing the right of suffrage and equal rights before the law to all loyal citizens "a final and just settlement of a vexed question." It hoped for the removal of all restrictions and disfranchisements imposed upon persons engaged in Rebellion, praised the administration of General Grant, recommended the State to provide separate schools for colored children, and denounced Democratic rule in Delaware.

The Democrats held their regular nominating convention at Dover on the 24th of August, 1870, and nominated James Ponder, of Sussex County, for Governor, and Hon. B. T. Biggs for member of Congress. In their platform they expressed their "devotion to the Union, now as in the past," declared that the Federal and State governments were formed for the benefit of white men, denounced the Fifteenth Amendment and the enforcement act, opposed the importation of coolies, favored the existing school system, which provided for the education of white children only, and declared their opposition to the "extravagance and wasteful expenditure" of President Grant's administration.

An independent Democratic Convention was held in October, which denounced the administration of the party in power in the State. The election was held on the 8th of December, and resulted in the success of the Democratic ticket. The total vote for Governor was 20,594; of which Ponder received 11,464 and Coursey 9130, giving the former a majority of 2334. Biggs for Congress received a majority of 2296 over Heald. The Legislature was unanimously Democratic in both branches.

There were several slight disturbances at the polls, owing to a disposition in some places to intimidate the negroes from voting, and the presence of United States officers at the polling-places to secure them in the exercise of that privilege. Both the enfranchisement of the negro and the interference of the Federal government at elections had been stubbornly opposed by the dominant party of the State from a very early period. Governor Saulsbury, in his final message to the Legislature of 1871, expressed the sentiments of his party when he said:

"In disregard of constitutional obligations, Congress and the Federal Executive have sought, by revolutionary means, to centralize and consolidate all political power in their own hands by attempting to control elections in the States. Without the power by direct act to amend the Constitution or alter the provisions, and unable to secure the voluntary consent of the number of States requisite for that purpose, they have forced some of the Southern States to consent to proposed amendments of the Constitution as a condition to representation in Congress, and have thereby nullified the legally-expressed will of other States whose consent could not be secured, and whose proper and legal relations with the Federal Government had never been interrupted. Such action is a fraud upon the non-consenting States, and upon the people of the whole country. It is a subject of congratulation, however, that the people in the late elections rebuked these acts of usurpation and tyranny, and we may well indulge the hope that the spirit of true patriotism will assert its superiority over party subserviency, and remove from power the representatives of a political organization which has failed, during a period of five years of profound peace, to bring the country back to the healthy condition in which it found it at the time of its advent to power in 1860. Until recently no political party in the country has ventured to claim for the Federal Government any authority to determine the



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James Ponder

qualification of electors in the States, or to interfere with the just rights of the people of every State to determine all matters connected with their own local elections. The fifteenth amendment, adopted by fraud and coercion, and in opposition to the will of the white people of the country, has been condemned by the popular voice in almost every State of the Union, and in none more signally than our own. Its effects upon both races must prove injurious, and it is to be hoped that its condemnation by the people of the country will, at no distant day, lead to its repeal as a part of the Federal Constitution."

Governor James Ponder was born at Milton, Del., October 31, 1819. He is of English extraction, and his ancestors are said to have settled in Virginia, whence his great-grandfather, John Ponder, came to Delaware and took out a patent for the family estate still owned by the subject and occupied by his elder son, John Ponder, fifth in descent from the original patentee. John Ponder, the first of the Delaware Ponders, had a son James, who left four children. They were as follows: John Ponder, father of the ex-Governor; Eleanor, wife of John Rowland, a Sussex County farmer; Elizabeth, wife of the Rev. S. Terry, a Presbyterian minister; and Mary, wife of John Gray, who went to Iowa in 1842. John was born at the old homestead in August, 1791, and, after receiving a common-school education, lived on his father's farm until 1809, when he became a clerk in the store of Major John Hazzard, of Milton, father of the late Governor David Hazzard, who was the chief executive of the State from 1829 to 1833. During the War of 1812 he served in the American army, and received land warrants as a partial recognition of his services.

Then he formed a copartnership with Arthur Milby, under the firm-name of Milby & Ponder, and engaged in general merchandising and the purchase and shipment of ore from the old bog iron mines of Sussex County. This was mostly shipped to points in New Jersey in vessels owned by the firm. They also dealt largely in grain, lumber, wood and quercitron bark. After this partnership was dissolved, in 1830, John Ponder continued the business alone until he admitted his son James, the subject and ex-Governor, to a partnership in 1843. John Ponder & Son continued the business until the death of the former from paralysis in 1863, since which time James Ponder has carried it on. During John Ponder's life he held various positions of public trust. He was a Jackson Democrat, and served several terms as a Levy Court commissioner of Sussex County. He was appointed postmaster at Milton in 1829, and served until 1849. In 1852 he was elected a State Senator, and served in that capacity for four years. He was a vestryman and warden of St. Matthew's P. E. Church in Cedar Creek Hundred. In 1816 he married Hester, daughter of Captain Nathaniel Milby, master of a coasting vessel, who subsequently died of yellow-fever, and was buried at Portsmouth, Va. She was a niece of his partner in business, and died in 1827, leaving him two children,—James Ponder, the ex-Governor; and Anna, wife of Willard Saulsbury, chancellor of the State of Delaware.

Governor Ponder was educated in the best acad-

emies of his native county and in 1838 became a clerk in his father's store at Milton. Having been admitted to partnership January 1, 1843, he and his father engaged in the building, purchase and sale of vessels. After the death of his father, in 1863, he gave up the store so long carried on by the firm, and has since given most of his attention to ship-building and the purchase and shipment of grain, lumber, ship-timber and bark. Several of his vessels are engaged in the trade with the West Indies.

In 1860 he built on the south bank of the Broad Kilo, below the bridge, a large steam saw-mill for the manufacture of lumber, ship-timber and quercitron bark. There he has had on hand at one time a stock of bark valued at forty thousand dollars. He is also largely interested in agriculture and peach-growing, as he is the owner of several thousands of acres of land in Sussex County. Most of this he has purchased in addition to that acquired under the original patent of John Ponder.

Since attaining his majority he has been a consistent and active member of the Democratic party. In 1857 he was a member of the State Legislature that elected James A. Bayard and Martin W. Bates United States Senators, the latter to fill the vacancy caused by the death of John M. Clayton. During that session Mr. Ponder introduced the bill incorporating the Junction and Breakwater Railroad, now known as the Delaware, Maryland and Virginia Railroad, and operated by the Pennsylvania Railroad Company. Having been elected to the State Senate for four years in 1864, he served as Speaker of that body during the session of 1867. In 1870, as has been stated, he was the Democratic candidate for Governor, and was elected by a handsome majority over his popular Republican opponent, Thomas B. Coursey, of Kent County. He was inaugurated at Dover in January, 1871, and during the four years of his term he exercised the functions of his office with the same calm dignity and fidelity that had characterized him in all previous official positions.

From the incorporation of the Kent County Mutual Insurance Company, in 1847, ex-Governor Ponder has been connected therewith, and for about twenty years has been one of its directors. For about thirty years past he has been a director of the Farmers' Bank of Delaware, and for several years prior to his removal to Wilmington, in 1875, he was president of the Georgetown Branch. From 1875 to 1879 he was a director of the Wilmington Branch, and on his return to Milton in the latter year he declined to serve as a director of the Georgetown Branch.

From boyhood he has been a member of the Protestant Episcopal Church, and is now a warden of St. John's Baptist Church at Milton, which was the parish of his ancestors from the time of the settlement of his great-grandfather there. He has frequently been a delegate to the conventions of his church. Since 1843 he has been a member of the Masonic order, and about twenty years ago served as

Deputy Grand Master of the Grand Lodge of Delaware.

In July, 1851, he married Sallie, daughter of Gideon Waples, of Milton. They have had five children, of whom three are living, as follows: Ida, who lives at home with her parents; John, the occupant of the ancestral manor; and James W., now a student at Swarthmore College.

According to the Federal census of 1870, the population of the State was 125,015. The share of each county, with the increase since 1860, is exhibited in the following table:

| COUNTIES. | 1870. | 1860. | Increase. |
|-----------------|---------|---------|-----------|
| New Castle..... | 61,515 | 64,797 | 8,718 |
| Kent..... | 29,804 | 27,804 | 2,000 |
| Sussex..... | 31,696 | 29,615 | 2,081 |
| Total..... | 125,015 | 112,216 | 12,799 |

Wilmington had 30,904 inhabitants in 1870, against 22,258 in 1860, an increase of 8646. Outside of Wilmington the largest towns exhibited the following.

| TOWNS. | 1870. | 1860. | Increase. |
|--------------------|-------|-------|-----------|
| Smyrna..... | 2,110 | 1,873 | 237 |
| Dover..... | 1,913 | 1,289 | 624 |
| New Castle..... | 1,766 | 1,566 | 210 |
| Delaware City..... | 1,545 | 1,355 | 190 |
| Seaford..... | 1,308 | 624 | 684 |
| Lewes..... | 1,090 | 970 | 120 |

There were in the State in 1870, 698,115 acres of improved, 295,162 of woodland, and 59,045 of other unimproved land. The cash value of farms was \$46,712,870; of farming implements and machinery, \$1,201,644; total amount of wages paid during the year, including value of board, \$1,696,571; total (estimated) value of all farm productions, including betterments and additions to stock \$8,171,667; value of orchard products, \$1,226,893; of produce of market gardens, \$198,075; of forest products, \$111,810; of home manufactures, \$33,070; of animals slaughtered or sold for slaughter, \$997,403; of all live-stock, \$4,257,323. There were 16,770 horses, 3584 mules and asses, 24,082 milch cows, 6888 working oxen, 19,020 other cattle, 22,714 sheep, and 39,818 swine. The chief productions were 895,477 bushels of wheat, 10,222 of rye, 3,010,390 of Indian corn, 554,388 of oats, 1799 of barley, 1349 of buckwheat, 3123 of peas and beans, 362,724 of Irish and 85,309 of sweet potatoes, 58,316 pounds of wool, 1,171,963 of butter, 1552 gallons of wine, and 758,603 of milk. Sold 65,908 gallons of sorghum molasses, 33,157 pounds of honey, and 41,890 tons of hay. The total number of manufacturing establishments was 800, using 164 steam-engines of 4313 horse-power, and 234 water-wheels of 4220 horse-power, and employing 9710 hands, of whom 7705 were males over sixteen, 1190 females over fifteen, and 806 youth. The amount of capital employed was \$10,839,093; wages paid during the year, \$3,692,195; materials used, \$10,206,397; value of products, \$16,791,382.

The total number of religious organizations was 267, having 252 edifices, with 87,899 sittings, and

property valued at \$1,823,950. The leading denominations were as follows:

| Denominations. | Organizations. | Sittings. |
|---------------------|----------------|-----------|
| Baptists..... | 8 | 2,450 |
| Episcopal..... | 29 | 8,975 |
| Friends..... | 8 | 3,425 |
| Lutheran..... | 1 | 300 |
| Methodist..... | 173 | 51,924 |
| New Jerusalem..... | 1 | 300 |
| Presbyterian..... | 32 | 13,175 |
| Roman Catholic..... | 13 | 6,000 |

The total number of libraries was 473, having 183,423 volumes. Of these, 221, with 91,148 volumes, were private; and 252, with 92,275 volumes, were other than private. There were 17 newspapers and periodicals, with a total circulation of 20,860; copies annually issued, 1,607,840. Of these there was 1 daily with a circulation of 1600; 3 semi-weekly, circulation 3660; 12 weekly, circulation 13,600; and 1 monthly, circulation 2000.

Governor Ponder was inaugurated on the 17th of January, 1871. His message was entirely devoted to a discussion of State rights, and denunciation of Congress for extending the suffrage to uneducated negroes, which he considered "unwise in policy, unsound in principle," and said would "be found to be in practice greatly detrimental to the public interest." He declared the measures adopted to secure its establishment "the most fatal assaults which have been made upon our complex systems of government, Federal and State, since their organization. They were the unwarranted enlargement of the powers of the former, and the practical destruction of the inherent and essential powers of the latter." On the same day Hon. Eli Saulsbury was elected to the United States Senate for a term of six years, beginning March 4th, to succeed the Hon. Willard Saulsbury, his brother, whose term expired at that time. The contest was between the friends of the three brothers, William, Eli and Gove Saulsbury, and it culminated in the nominating caucus the night preceding the election. Four ballots were taken before a nomination was effected. The first two showed only 3 ballots for Eli, against 14 for Gove, and 13 for Willard Saulsbury; the next 1 for Eli, 15 for Gove and 14 for Willard Saulsbury; but the fourth, by the union of the supporters of Willard and Eli Saulsbury, showed 16 for the latter against 14 for Gove Saulsbury, and secured him the nomination and consequently the election.

In February, Robert H. Davis was elected State treasurer by the Legislature, and Dr. R. G. Ellegood, State auditor; and John H. Paynter, of Georgetown, was made Secretary of State by appointment of the Governor.

There were but few notable acts of the Legislature of 1871. One of the most important related to the fisheries. Its chief provisions declared that no person not a citizen of the State should fish within its boundaries without a license; such license shall cost twenty dollars, and be limited to one year; the penalty for the violation of this provision shall be fifty

dollars and forfeiture of the vessel, nets and other tackle engaged, which, if condemned, shall be sold, and the proceeds, after paying costs, be divided among the captors. Any sheriff or constable had the power to seize and detain any vessel violating the oyster law without warrant, and in the performance of his duty, could if necessary, summon a *posse comitatus*, armed with fire-arms and ammunition, and use the same, if forced to do so, in execution of the law, and if maiming or death followed, it should be considered justifiable, and the officer and his *posse* were to be free from legal responsibility.

In 1864 an act was passed by the Legislature, levying a tax of ten cents per head upon every passenger traveling by steam routes in the State. The collection of this tax the Philadelphia, Wilmington and Baltimore Railroad persistently resisted, on the ground of its unconstitutionality, and a suit of the State treasurer, to recover it from the company, was long pending. At length the case came before the Court of Errors and Appeals, the highest tribunal in the State, and a unanimous decision against the act, so far as it imposed a tax upon passengers traveling through, into or out of the State, was rendered. The court, accepting the decision of the Supreme Court of the United States, in the case of *Crandall vs. State of Nevada*, as settling the principle that a tax by a State upon what is known as *inter-State* travel is invalid under the Federal Constitution, concluded that the tax imposed by the act in question was a tax upon the passenger, to be collected by the carrier, and *not* merely a tax upon the *business* of the carrier, to be measured by the number of passengers as was urged upon the part of the State. The chief justice also delivered an opinion fully concurring in the conclusions above-named, but adding thereto his dissent from the grounds upon which the majority of the Supreme Court had based their decision in the *Nevada* case—preferring, with the majority of the Supreme Court, to base the principle, by which both that case and the Delaware one were settled, upon the "Commercial clause of the Constitution," giving Congress power to regulate commerce between States. The amount involved was about seventy-five thousand dollars.

A warm controversy arose during the year 1871 regarding the right of citizens of New Jersey to take fish from the waters of the Delaware River within what is known as the "twelve-mile circle,"—that is, a circle with a radius of twelve miles, having its centre at the town of New Castle. Delaware claimed that this circular line was the original northern boundary of the State, and that within it her jurisdiction was exclusive to the lower-water mark on the New Jersey side of the stream. As a license was required from the citizens of other States fishing in her waters, she held that no fish could be taken from the river even adjacent to the New Jersey shore where it comes within that circle, unless such license was first obtained.

Certain New Jersey fishermen venturing within that line were arrested in the early part of the year, and this led to a correspondence between the Governors of the two States, which resulted in an interview at Philadelphia, and an agreement to bring the subject before the Legislatures of the two States, with a recommendation that commissioners be appointed to settle the matter in dispute. This recommendation was made by Governor Ponder, in his annual message to the Legislature of 1873.

A convention of the Republicans of the State was held at Dover, on the 9th of May, to choose delegates to the National Convention of the party at Philadelphia. A long platform was adopted. A Democratic Convention, for the appointment of delegates to the National Convention at Baltimore was held at Dover, on the 11th of June. The resolutions adopted condemned General Grant and the Thirteenth, Fourteenth and Fifteenth Amendments to the Constitution. Another convention was held in August, in which an attempt was made to secure an acceptance of the nominations of Horace Greeley for President, and B. Gratz Brown for Vice-President, made at Baltimore, but without success.

A second Republican Convention was held on the 10th of September, which, after nominating Presidential electors and naming James R. Lofland as candidate for member of Congress, adopted a platform.

A slight conflict between the authority of the State and the government arose during the campaign, owing to the peculiarity of the State's election laws. The payment of a county tax, which shall have been assessed at least six months before the election, is one of the qualifications of an elector, and under this many negroes in New Castle County were deprived of the right of suffrage by the Levy Court. This result was assumed to be in violation of the Fourteenth Amendment of the Federal Constitution, and the members of the court and some of the collectors of the county were indicted under the enforcement act, and one of the collectors was tried and convicted. On this subject the Governor says, in his message to the Legislature of 1873:

"I cannot as the executive of the State, withhold the expression of regret at the unwarranted assumption of power by Congress in the enactment of the law under which these proceedings were had. From the formation of the Union until the enactment of this law no such claim of power for Congress was ever practically asserted. The right of the States to select their own officials and to regulate their actions without any Federal supervision had never been denied, and for more than three-quarters of a century that right has been exercised by this State without Federal interference. This assumed power of Congress to interfere in such local affairs is predicted upon the recent amendments to the Constitution; but it would be a forced construction of those amendments, and certainly far more than was claimed by their advocates before they were engrafted upon the fundamental law, that would warrant a power so adverse to the theory of the government, as well as to all the rights of the States over their own domestic affairs. If the fourteenth amendment confers upon Congress the fearful power assumed in the enactment of the law under which these indictments were found, it is difficult to find a limit to its authority. There is but one step between the exercise of Federal supervisory power over the officers of the State and the power to appoint them, and at no distant day it may be found that the exercise of the one suggests, if it does not necessitate, the other. It is to be regretted that one by one the safe-guards of liberty are disappearing in rapid succession, and the limitations upon Federal authority so weakened or disregarded as to form but a feeble defense against consolidated despotism. But regrets are vain and protests are unavailing. The strides of Federal

power are unstayed, and its portentous shadow casts a gloomy pall over the future history of the country."

The total vote for Presidential electors was 21,321, of which the electors chosen to vote for Grant and Wilson received 11,115; those for Greeley and Brown, 10,206; and those for O'Connor and Adams, 460—plurality for Grant, 909. James R. Lofland was elected as Representative in Congress by a majority of 362, out of a total vote of 22,392, receiving 11,377 votes. There was no election for State officers, but the Legislature of 1873 consisted of eight Democrats and one Republican in the Senate, and fourteen Democrats and seven Republicans in the House.

The Legislature assembled January 15, 1873, and sat until April 12th. A more stringent liquor law was passed, making the cost of license \$100, with such other provisions as would confine the sale of intoxicants chiefly to hotel-keepers; and the first step was taken to amend the State Constitution so as to allow of the passage of a general incorporation law, the constitutional provision being that the Legislature could grant no charter to run for a longer period than twenty years. Another act increased the legal rights of married women; and an unsuccessful effort was made to increase the number of Senators to twelve and Representatives to twenty-eight, and half of each House to be chosen from New Castle County.

Bills were introduced to repeal the attachment law so far as it related to the seizure of wages, but they were defeated by remonstrants, who argued that neither this law nor the whipping-post possessed any terrors for honest people.

A new arrangement was made with the Philadelphia, Wilmington and Baltimore Railroad Company, by which it was taxed \$27,000 per year in lieu of all other than the ten-cent tax, and permission was given that it might commute the latter at any time by the payment of \$13,000. In this legislation was included a prohibition against discrimination in fares and freights, which might be punished by suit and recovery of tenfold the amount charged.

Another measure provided for the graduation of the ten-cent tax by allowing all other roads to pay over such sums in gross as would be proportioned to their passenger receipts in the same ratio as the amount paid by the Philadelphia, Wilmington and Baltimore Company held to theirs.

At the close of 1872 the State debt was \$1,325,000, the interest on which had been met so promptly that the bonds were firmly held at a high premium, and the treasurer found it difficult to purchase them for redemption.

On March 18, 1873, the Committee on Ways and Means reported the debt items thus:

| | |
|--|-------------|
| Debt due in 1875..... | \$169,000 |
| Debt due in 1885..... | 810,000 |
| Debt due in 1890 (Junction and Breakwater Loan)..... | 352,000 |
| | <hr/> |
| | \$1,331,000 |
| The interest charge being | \$79,000 |

The annual receipts from taxes and all other sources applicable to State use were \$289,000.

The difficulties between this State and New Jersey as to the fishing rights of their citizens were not completely settled, and the operation of the law relative to taxes on the fisheries was suspended during the year. The question for the commissioners to settle was, whether the citizens of New Jersey had a right to take fish within the Delaware jurisdiction. The progress of the industrial interests of the State was rapid in this year. In Wilmington alone the total capital employed had increased from \$12,275,000 in 1872, to \$12,625,000 in 1873, and the product, from \$20,125,000 to \$22,150,000. There had been no reduction of capital in any industry, while railway-car building had added \$50,000; iron ship-building, \$100,000; machine-work, \$50,000; foundry-work and car-wheels, \$100,000; miscellaneous, \$100,000. In the product railway-cars showed an increase of \$200,000; iron ships, \$100,000; machine-work, \$200,000; foundry-work and car-wheels, \$400,000; miscellaneous articles, \$500,000; while a decrease appeared in the single article of morocco, and was estimated at \$250,000. For the year ending October 1, 1873, reports showed the erection of 448 new buildings in Wilmington, three less than in the preceding twelve months. The canning and drying of fruit was extensively prosecuted, amounting, in peaches alone, to 161,000 baskets. This industry employed 1300 persons, who received \$8000 in weekly wages.

In November occurred the daring and unsuccessful attempt to rob the National Bank of Delaware, at Wilmington. The burglars, McCoy, Carter, Hope, Lawler and Hurlburt, were captured, tried and convicted. The sentences, which were carried out, condemned them to pay the costs of the prosecution and a fine of five hundred dollars each, to stand in the pillory one hour, to receive forty lashes each on the same day, and to be imprisoned for ten years.

The year 1874 witnessed an exciting political contest. On July 28th the Republican State Convention met at Dover, and nominated Dr. Isaac Jump, of Dover, for Governor, and renominated Honorable James R. Lofland for Congress. The platform declared that representation in the Legislature according to population, coupled with a district system, was a cardinal principle of republican government, and pledged the party, if entrusted with power, to provide for the early organization of a Constitutional Convention, to make this reform in the organic law. The resolutions called for the repeal of the law allowing the wages of the laborer to be attached for debt, and favored the exemption of a reasonable portion of the property of the debtor from execution. They also demanded the repeal of taxes upon wages and mortgages, and upon savings and houses acquired through building and loan associations. The law passed by the previous Legislature in reference to the duties of assessors and collectors was denounced "as a base attempt to disfranchise that class of our voters and citizens who are not owners of real estate, and a measure which, unless prevented by the vigi-

lance of good citizens, will cheat the counties out of their taxes, and the people out of their votes, and further, as an unjust discrimination against the poorer classes by giving improper influence to property alone." The property tests for office-holding were characterized as "repugnant to the spirit of the age, and insulting to the working-men."

The Democratic Convention was held at Dover, August 27th, nominating John P. Cochran for Governor, and James Williams for Congress. Only two paragraphs of the platform touched upon State affairs, and in them the Democratic administration of the State was commended, and it was resolved that

"The welfare of all classes of our population, the rich and the poor, the white and the black, can and will be best conserved by a continuance of that strict obedience to Constitutional limitations upon official power; that respect for established laws; that absence of class-influence and legislation; that due regard for the rights of the community as a whole, which have characterized the administration of government by the Democratic party, and which form the chief guarantee of a free and stable government."

The election held on November 3d resulted in the choice of Cochran and Williams by majorities respectively of 1239 and 1666. The counties voted as follows:

| | FOR GOVERNOR. | | Summ. | Total. |
|--------------------------|---------------|-------|-------|--------|
| | New Castle. | Kent. | | |
| Cochran..... | 5,796 | 3,178 | 3,514 | 12,488 |
| Jump..... | 5,015 | 2,751 | 2,883 | 11,249 |
| Majority for Cochran... | 181 | 427 | 631 | 1,239 |
| | FOR CONGRESS. | | Summ. | Total. |
| | New Castle. | Kent. | | |
| Williams..... | 5,891 | 3,244 | 3,558 | 12,693 |
| Lofland..... | 5,498 | 2,683 | 2,846 | 11,027 |
| Majority for Williams... | 393 | 561 | 312 | 1,666 |

The peach season of 1874 closed about October 1st, and the net receipts from the crop were estimated at \$669,775, a decided falling off from the average of the several preceding years. The shipments of strawberries were, however, the largest ever made up to that time, aggregating 7,470,000 quarts, which brought to the growers about \$500,000.

When the Legislature met, January 7, 1875, the message of the retiring Governor, Mr. Ponder, showed that the State debt had been brought down to \$1,250,000, more than \$500,000 of which was incurred in aid of the construction of the Junction and Breakwater and the Breakwater and Frankford Railroads. While not questioning the propriety of this expenditure, he suggested that the General Assembly should not authorize any further increase of the public debt for works of internal improvement. The assets of the State, including investments appropriated to the school fund, were \$1,123,189; liabilities over all assets, \$100,811; and over assets not appropriated to the school fund \$576,950, which latter figure was regarded as the actual debt of the State. The annual receipts into the treasury for 1874 were \$207,872, and the expenditures, including \$75,000 interest on the public debt, an appropriation of \$3000 to Delaware College, and one-half the biennial expenses of the Legislature, about \$111,025. As a large part of the revenue was derived from taxes

paid by railroads and other corporations, a decision rendered during 1874 by the United States Supreme Court was of the highest importance to Delaware. The suit was that of Wm. Minot, Jr., a stockholder in the Pacific, Western and Baltimore Railroad, to restrain the State's officers from collecting from the company taxes imposed by the law of 1869, on the grounds that the law was unconstitutional. The Supreme Court affirmed the power of the State to tax corporations, which disposed effectually of the claim of other railroads within the State—and especially that of the Philadelphia, Wilmington and Baltimore—to exemption from taxation and relieved the State from any possible liability for the amount of taxes paid by the company under protest.

Governor Cochran was inaugurated January 20, 1875, and on the 27th, Hon. Thomas F. Bayard was elected to the United States Senate for six years from the ensuing 4th of March. Early in the session of the Legislature resolutions were adopted protesting against the action of President Grant in dispersing by military power the Legislature of Louisiana and organizing another body of men to act as the representatives of that State.

Among the principal matters of local law-making was the passage of the school bill, making the president of Delaware College, the secretary of State and the State auditor a Board of Education, the auditor to be the secretary, with a compensation of one hundred dollars per year. The Governor was authorized to appoint a superintendent of public education at a salary of eighteen hundred dollars a year, who was required to examine teachers, visit each school at least once a year, and to hold a teachers' institute in each county. Teachers were required to pay two dollars each for their certificates. School directors were to be chosen by the people in each district and were required to levy a tax of not less than one hundred dollars in each district in New Castle and Kent Counties and sixty dollars in Sussex. The Board of Education must hold a meeting on the first Tuesday in January of each year, and the superintendent was required to submit a report on the condition of the schools. Another act provided for a tax of thirty cents on each one hundred dollars of the property of colored persons on the assessment lists, to be set apart as a fund for the maintenance of colored schools, and paid over by the county treasurers to the treasurer of the Delaware Association for the Education of the Colored People, to be applied by the latter to the maintenance of colored schools.

Many petitions were received on the subject of liquor legislation—some asking for a prohibitory law, some for local, others for a more stringent license law and others again for more freedom in the sale of intoxicants. Of the numerous bills introduced that for a more liberal license system met with the most favor, but all were finally defeated. Governor Cochran had recommended increased representation in his inaugural address, and several bills to effect that ob-

ject were submitted. The general purpose was to add to the representation of New Castle County by giving an additional Senator and three or four new Representatives to the city of Wilmington and making it a separate district. It was also proposed to divide New Castle County, but all these propositions were defeated, thus retaining the apportionment of 1792, by which New Castle, Kent and Sussex have an equal representation of three in the Senate and seven in the House, although the population of the first-named was, in 1875, greater than that of the other two combined and the assessed value of its property more than three times as much. In this Legislature the city of Wilmington had no representative of its own in either Senate or House; notwithstanding that its population was larger than that of Kent or Sussex and its valuation and taxes greater than those of both.

The efforts to secure a loan of the State credit to various railroad enterprises also failed. The amendment to the Constitution proposed in 1873, sanctioning a general incorporation act, was ratified, and a general act was passed providing for the incorporation of associations for religious, charitable, literary and manufacturing purposes, for the preparation of animal and vegetable food, for building and for loan purposes and for the drainage of low lands. Among the other acts of the session was one ceding to the United States title to and jurisdiction over lands for sites for light-houses, a beacon, life-station and other aids to navigation on the waters of the State; one incorporating the city of New Castle and one allowing married women to have control over their own property, whether in their possession at the time of marriage or acquired afterwards. This law also permitted married women to make a last will and testament without the consent of their husbands. The town of New Castle, which was incorporated as a city, had twenty-three hundred inhabitants. A special act established a Board of Education for New Castle, as the general school law did not apply to that city or to Wilmington.

An act passed shortly before the adjournment authorized keepers of hotels, proprietors of places of amusement, steamboat and railroad companies and "others pursuing a public occupation," to provide separate accommodations for any class of persons who might be "obnoxious" to their patrons or passengers. While there was no mention of race or color in this act, its purpose was to offset the civil rights legislation of Congress, and confine the negroes to separate places in hotels, taverns, theatres, railway cars, steamboats, etc.

Though no action was taken at this session directly affecting the finances of the State, they were frequently debated during the session. It was shown that the cost of the executive and judicial departments, during 1874, was,—

| | |
|-----------------------------|-------------|
| Salaries of the judges..... | \$12,000.00 |
| Attorney-general..... | 1,500.00 |

| | |
|--|-------------|
| Governor..... | 2,500.00 |
| Secretary of State..... | 1,000.00 |
| Auditor and treasurer..... | 3,875.00 |
| Librarian..... | 150.00 |
| Expenses of Legislative Committee..... | 210.34 |
| Printing auditor's report, 1874..... | 324.40 |
| Sundry expenses..... | 250.00 |
| Total..... | \$21,305.64 |

This aggregate was reduced for 1875 to \$19,400. The cost of the last previous legislative session was \$25,500, and it was claimed that the cost of this session would not exceed \$23,000. The extraordinary appropriations this year totalized \$17,300, consisting of \$10,000 for the Centennial Exhibition at Philadelphia, \$4000 for legal services in railroad cases, \$1500 for the fish commission and \$1800 for binding the code. The outstanding liabilities of the State were given as \$1,224,000, on which the interest was \$73,440, besides which two notes given by the late treasurer, amounting to \$40,000, were to be paid. State bonds of \$10,000 were due, while \$14,000 of similar bonds, issued to Delaware College, were to be replaced by other securities. Thus the demands on the treasury for 1875 were calculated to be as follows:

| | |
|-----------------------------------|----------|
| Executive and judiciary..... | \$19,400 |
| Legislative session..... | 25,000 |
| Extraordinary appropriations..... | 17,300 |
| Interest on the debt..... | 73,440 |
| Notes..... | 40,000 |
| Bonds due and to be paid..... | 10,000 |
| Total..... | 183,140 |

The items and total of revenue were thus stated:

| | |
|---|--------------|
| State tax on county assessments..... | \$50,000.00 |
| Process tax..... | 9,000.00 |
| Tax on railroads..... | 44,000.00 |
| Interest from Junction and Breakwater Railroad.... | 24,000.00 |
| Interest from Breakwater and Frankford Railroad.... | 12,000.00 |
| License fees..... | 48,790.00 |
| Interest on bank stock..... | 4,545.00 |
| Tax on banks and insurance companies..... | 7,267.32 |
| From Secretary of State..... | 712.00 |
| Fines and miscellaneous..... | 1,164.16 |
| Cash on hand January 28, 1875..... | 19,131.04 |
| Total..... | \$220,000.52 |

This would leave a surplus of \$37,469, which might be increased \$10,000 by payments from the counties of arrearages of taxes. As there was to be no legislative session in 1876, it was calculated that there would be a saving in expense for that year of \$38,500, or the amount of the legislative expenses and extraordinary appropriations of 1875, which would leave a probable surplus for 1876 of \$75,000. A committee appointed to examine into the investments of the State reported them to be in a perfectly satisfactory condition. The cost of remodeling, improving and refurnishing the State-House was \$28,438.99, or \$8446.63 more than was appropriated for the purpose in 1873.

The State Board of Education was organized in April. It consisted of Wm. H. Purnell, president of Delaware College; I. C. Grubb, Secretary of State; and Nathan Pratt, State Auditor. The Governor appointed James H. Groves as superintendent. The assessment for the benefit of colored schools under the new law, it was estimated, would not exceed \$3200 for

the three counties. There were twenty-eight colored schools in the State outside of Wilmington, which were attended during 1875 by between 1100 and 1200 pupils. The Delaware Association for the Education of the Colored People, of which Alfred Lee was president, gave about six dollars per month to each of the schools, in addition to the amount raised by taxation of the colored property-holders.

By special arrangements with the managers of the principal lines of transportation, the fruit-growers were enabled to make unusually expeditious shipments to market in the summer and autumn of 1875. The marketable peach product of the year was 8,782,716 baskets. Of these, 2,471,500 baskets were shipped by the Delaware Railroad to Jersey City; 501,000 by the same route to Philadelphia; 323,000 to Boston; by the Baltimore and Ohio Railroad, 575,000 baskets; by the Philadelphia and Reading, 204,000; by the Pennsylvania, 164,000; to Western New York, 55,000; to other points by rail, 123,000, making 4,117,500 baskets sent over the Delaware Railroad from the point of shipment. There were sent to New York by ocean routes 300,000 baskets; to Liverpool, 2000; by water to Philadelphia, 1,536,730; by water to Baltimore, 1,887,000; other water shipments, 58,432 baskets; consumed in Wilmington, 80,000; consumed in canneries and drying-houses, 576,054; consumed in distilleries, 225,000. The aggregate returns to producers over the cost of shipment were calculated at \$1,693,944, subtracting from which the cost of picking and hauling, and the loss on baskets and crates, brought the net profit down to \$753,944. The profits of the canneries, dry-houses and distilleries added to this would make the net value to growers of the peach crop of 1875 \$1,018,944.

The Presidential election year of 1876 stirred the people of the State to lively participation in the national contest. On May 18th the Republicans held their convention at Dover to choose delegates to the national convention. Blaine and anti-Blaine was the issue, but the friends of the Maine candidate prevailed, and the delegates were instructed to vote for him "so long as in their judgment and discretion it may be possible to secure his nomination."

The Sussex County men had agreed in caucus upon Dr. J. S. Prettyman, who held a Federal office, as a national delegate, but he was strongly objected to by the majority of the convention because of his antagonism to Mr. Blaine, and pronounced preference for ex-Secretary of the Treasury Bristow as the head of the ticket. Consequently, they adopted resolutions that the delegates "should be representatives of the people, disconnected from official position under the government of the United States," and Sussex was compelled to withdraw Dr. Prettyman. The resolutions declared for the payment of the national debt in coin or an equivalent currency, and for tariff protection to home industries.

On June 13th the Democratic Convention assembled at Dover and chose six delegates to the national

convention of the party. They were instructed to vote as a unit for the nomination of Senator Thomas F. Bayard for the Presidency. The resolutions denounced the attempts of President Grant's administration "to absorb the police power of the State, to control election to office by Congressional legislation and executive interference, and to substitute a centralized government for the 'Home Rule' of the Constitution." "Real civil service reform" was declared to consist in "cutting off a multitude of unnecessary offices, and making preferment in the public service no longer a reward of partisan zeal."

"That a tariff whose object is to raise revenue, and not to favor special classes," was another plank of the platform; and the enunciation on the currency question demanded a return at the earliest possible day to the money of the Constitution—gold and silver coin, and a currency convertible therewith at the will of the holder.

Another Democratic Convention was held at Dover, September 7th, and after renominating Hon. James Williams for Congress, adopted resolutions indorsing the nomination of Tilden and Hendricks by the national convention, and contending that the recent order of the Secretary of War for the distribution of troops of the regular army in the Southern States was "indicative of a purpose on the part of the administration and its supporters to prevent, if possible, a free and fair exercise of the elective franchise in those States." The platform further insisted that the election of Mr. Hayes to the Presidency, "influenced as he would be by the men who have surrounded President Grant, and shaped his administration, would fail to secure purity or economy in the administration of the government." The following significant resolution was adopted on motion of James L. Walcott, of Kent County:

"That we are, and always have been, in favor of the white men of the country controlling the government; and, therefore, we appeal with confidence to the white voters only for the success of the principles enumerated in the foregoing resolutions."

At a convention at Dover, on September 13th, the Republicans nominated Levi C. Bird for Congress, and the resolutions indorsed "the declared purpose of the President, Secretary of War and Attorney-General to use the military power of the government so far as is necessary to secure a free ballot to all citizens of whatever race in the coming Presidential election." The platform also spoke for an improved school system, "free from any and every sectarian and ecclesiastical influence," and renewed the party's pledges in favor of equality of representation in the General Assembly.

A Prohibition Convention, consisting partly of women, was held in Wilmington, October 10th. It nominated Charles Moore for Congress, and adopted resolutions denouncing the liquor traffic, condemning the license law and declaring in favor of local option.

At the election, on November 7th, the total vote for Presidential electors was 24,135, of which the Democratic candidates received 13,381 and the Re-

publican 10,752—Democratic majority, 2629. Mr. Williams was re-elected to Congress by 13,169 votes to 10,592 for Bird; Williams' majority 236. The State Legislature chosen on the same day was unanimously Democratic in both branches. When it assembled on January 3, 1877, reports made to it showed the total bonded debt to be \$1,201,000, classified as follows:

| | |
|---|-------------|
| War bonds due January 1, 1885..... | \$793,000 |
| Balance of bonds loaned to Junction & Breakwater Railroad Company, due January 1, 1890..... | 230,000 |
| Bonds loaned to Breakwater & Frankford Railroad Company, due January 1, 1898..... | 178,000 |
| Total..... | \$1,201,000 |

The reduction since January, 1875, had amounted to \$63,660. There was, January 1, 1877, in the treasury applicable to the redemption of bonds, \$70,000; the investments of the State, outside the school fund, amounted to \$671,000; and there was due from interest, taxes and other sources, \$100,462. This showed an excess of liabilities over assets of \$338,738, not taking into account the investments devoted to the support of the public schools, which amounted to \$449,000. The average annual expense of the State government for 1875 and 1876, exclusive of payments on account of the debt, was \$105,000, while the annual receipts into the treasury amounted to \$195,000. A considerable reduction in taxation was expected at this session of 1877, the principal changes in the law being a reduction in the rates on county assessments from ten cents to five cents on the \$100, and of license fees to one-half their former amount. Efforts were made to secure radical changes in the laws relating to the sale of intoxicating liquors, and the subject was warmly debated for many days; but the final result was insignificant. The word "citizen" was substituted for "freeholder" in the provision regarding applicants for licenses. The payment of a license tax to the United States was made *prima facie* evidence of liquor-selling, and the transfer of a license to an incoming tenant was authorized. An insurance law was enacted, which required all companies incorporated out of the State to file copies of their charters with the State Auditor, to also file a yearly statement of their condition and to obtain certificates enabling them to transact business in Delaware. On the application of ten policy-holders, the auditor was empowered to investigate the affairs of any company and to prohibit it from further operations in the State if it should be found insolvent. An act was passed for the encouragement of beet-sugar culture; but only \$300 was appropriated for seeds and premiums. A commission was appointed to carry the act into effect; but it decided that, as the preparation of the ground ought to be made in the autumn, no effort should be made to secure results until 1878. The commission, however, endeavored to incite the interest of farmers in the matter by the distribution of pamphlets on the methods and profits of cultivating the sugar-beet.

The peach crop of 1877 was estimated at 3,392,293 baskets, but the figures are not altogether trustworthy,

as the records of some of the transportation lines were not exact. Shipments by rail were placed at 2,124,102 baskets; by water, 948,518 baskets; canned, dried or otherwise cured, 319,675 baskets. Among the new enterprises of 1877 was the projected construction of a branch of the Delaware Division of the Philadelphia, Wilmington and Baltimore Railroad from Lewis to Rehoboth.

Statistics of the free-schools from December, 1876, to December, 1877, showing the whole number of children between the ages of five and twenty-one years, the number attending schools, and whole amount of school property, are as follows:

| | |
|--|--------------|
| White children in New Castle County..... | 16,760 |
| White children in Kent County..... | 6,862 |
| White children in Sussex County..... | 8,227 |
| Total..... | 31,849 |
| Attending school in New Castle County..... | 11,056 |
| Attending school in Kent County..... | 4,905 |
| Attending school in Sussex County..... | 6,187 |
| Total..... | 22,398 |
| Colored children in New Castle County..... | 1,300 |
| Colored children in Kent County..... | 1,400 |
| Colored children in Sussex County..... | 1,100 |
| Total..... | 3,800 |
| Attending school in New Castle County..... | 680 |
| Attending school in Kent County..... | 580 |
| Attending school in Sussex County..... | 503 |
| Total..... | 1,663 |
| School property in New Castle County..... | \$331,299.04 |
| School property in Kent County..... | 58,083.00 |
| School property in Sussex County..... | 61,569.60 |
| Total..... | \$450,951.64 |

By January 1, 1878, the effects of the financial legislation of 1877 were fairly apparent, and during the first-named year the debt was reduced to \$953,000, notwithstanding, that taxation had been lightened to the extent of \$75,000 yearly by the reduction of marriage license fees, the discontinuance of the tax on process and recording and the abolition of the entire State tax on poll, real and personal property and on debts, stocks or shares, securities and investments. The cash on hand and the State investments showed assets of all descriptions in excess of indebtedness amounting to \$165,344.

The Democratic State Convention assembled at Dover, August 6, 1878, and framed a ticket with John W. Hall for Governor and Edward L. Martin for Congress. In the platform particular reference was made to the satisfactory condition of the State finances as the result of government by the Democratic party, and the fact pointed out that the treasury of Delaware had never lost a dollar by the dishonesty or defalcation of a Democratic official. It was declared that the prevalent business depression throughout the country was due chiefly "to unwise measures of finance, for which the Republican party is wholly responsible" and former deliverances on the subject of the resumption of specie payment were reaffirmed. It was resolved that "all tariff duties, being taxes, which are paid by the consumer,



John W. H.

... was expected at

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groups will be able to give an informed opinion on the quality of the information and the way it is used. The information should be presented in a way that is accessible to the public and should be made available to the public in a way that is accessible to the public. The information should be presented in a way that is accessible to the public and should be made available to the public in a way that is accessible to the public.

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W. J. ...
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1. The first part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them. The list includes names such as "J. H. Smith", "W. J. Brown", and "C. L. Green", among others. The addresses are also written in cursive and include street names and city names.

For 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, the values of the dependent variable Y_{it} were finally approved by the tax authorities and the debt service D_{it} was calculated as the sum of the interest and principal payments on the debt service contract. The tax rate T_{it} was extended as follows: $T_{it} = 1 - Y_{it}/D_{it}$.

involving a number of the following factors: the process and the organization of the work; the equipment, tools and materials; the physical and mental tasks of the workers; the work environment. The task, method and organization of

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as totalizations of a phenomenon
which are themselves phenomena.
The "totalization" of the world
is itself a process which is
incomplete and open.

10. The above information is true and correct to the best of my knowledge and belief. I am duly sworn.

 Notary Public for the State of Texas
 My Commission Expires _____

 State of Texas, County of _____



John W. Hale

should be so laid as to yield the largest revenue to the treasury, and at the same time, as far as is consistent with that purpose, to discriminate in favor of the productive interests of our own people." Grants or subsidies to corporate or individual enterprises were denounced, and in conclusion the platform spoke of "the conspiracy which, through corruption and fraud," gave the electoral votes of South Carolina, Louisiana and Florida to Hayes and Wheeler, and asserted a "firm conviction that the refusal of the Republican members of the Electoral Commission to investigate the charges of fraud, whereby certificates of election were given to Hayes electors in said States, was a violation of public duty and a betrayal of the trust reposed in them."

The Republicans held no convention in 1878 and made no nominations for State officers, but the Greenback-Labor party held a convention at Dover on October 17th, where it put forth a declaration of principles which included the immediate payment of all United States bonds in greenbacks; the repeal of the National Banking Act and the retirement of the bank-notes; government aid to destitute families desiring to settle on the public lands; the taxation of incomes and all property not belonging to the government; the abolition of the property qualification for suffrage in Delaware; and modification of the attachment laws of the State. Kensey J. Stewart was nominated for Governor, and John G. Jackson for member of Congress. The election on November 5th resulted as follows:

| | GOVERNOR. | | CONGRESS. | |
|-------------------------|-----------|----------|-----------|----------|
| | Hall. | Stewart. | Martin. | Jackson. |
| New Castle County | 5,030 | 675 | 4,999 | 711 |
| Kent County..... | 2,208 | 43 | 2,163 | 12 |
| Sumner County..... | 3,492 | 2,127 | 3,414 | 2,529 |
| Total..... | 10,730 | 2,835 | 10,576 | 3,042 |
| Majorities..... | 7,895 | | 7,534 | |

A State Temperance Convention was held at Smyrna December 26th and organized by the appointment of George G. Lobdell as president. It decided to petition the Legislature for the enactment of local option laws, giving the people of the counties and hundreds the power to declare by their votes whether or not liquor licenses shall be granted.

The biennial session of the Legislature commenced on January 7, 1879. The most important occurrence in the first part of the session was the inauguration of Governor Hall, which took place on January 21st. It was considered as brilliant and attractive as could be desired,—the display eclipsing that of any previous occasion,—the State military and prominent men from all parts of the State being present.

Hon. John Wood Hall, Governor of Delaware from 1879 to 1883, was born January 1, 1817, in Frederica, Kent County, Delaware, where he has since resided except while attending school. His paternal ancestor was an early settler in the State, and his descendants have ranked among its most worthy citizens. Winlock Hall, his grandfather, was born in Milford Neck. He owned extensive tracts of lands in Kent

County and prospered as a farmer to a remarkable degree. He had three sons—Henry, Winlock and John—and three daughters. John Hall, the youngest of the sons, born January 30, 1785, was the father of the subject of this sketch. He served in the War of 1812. In early life he was a merchant in Milford, and then moved to Frederica, where he continued the same business. He was one of the principal men of the town and country around, and foremost in all the leading business operations, and was highly esteemed in the community. He married Henrietta, daughter of Nathaniel Bowman, a farmer of Milford Neck. John Hall died January 1, 1826. His wife died September 17, 1834. Governor Hall, the only survivor of their five children, was left an orphan at the age of only nine years, by the death of his father. His mother was a gentle, kind and noble woman. She was a devoted member of the Methodist Church and trained her children to walk in the path of duty and in the way they should go. It was soon after the death of his father that the son went to live with his uncle, who was his guardian. He remained with him until he received his education. At the age of seventeen he entered the store of Clement Maston, at Frederica, as clerk, agreeing to give his services eight months for \$20 and board, with the privilege of selling confectionery on his own account. At the end of this term of service, his former employer having sold out this business, he went into the store of Solomon Townsend, enjoying the same privilege. With his savings he purchased the tools and stock in trade of a cabinet-maker in his native town, and placed experienced journeymen in the shop to do the work. The first sideboards and other mahogany furniture sold in Frederica were made under his supervision. In the meantime he continued in the employ of Mr. Townsend until January 1, 1838, the day he attained his twenty-first year, he bought out the stock in trade of his employer. Having no time to attend to the manufacture of furniture, he sold his shop to a man, who, in exchange, erected for him a dwelling, in which he lived for many years. The profits he received from the candy business, however, were the foundation of his prosperous business career. Being possessed of native energy and good judgment, he now started to do a general merchandising business, which he gradually extended until his customers came from a very large area of the surrounding country. He dealt largely in grain, produce, wood, lime, various kinds of fertilizers, and made a specialty of the lumber trade.

Vessels were needed to ship the products he purchased. He had one vessel built in 1838, the first year he engaged in business for himself. Nearly every year since he has had one or more constructed for his own use and the general coastwise and foreign trade, and now owns more vessels sailing upon the high seas than any other person in the State of Delaware. They have entered almost every port in the United States and also many foreign ports. These vessels range from two hundred and fifty to thirteen hundred tons,

and were built at Frederica, Milton, Milford and Smyrna, Delaware, and at Cooper's Point, Camden, N. J.

In 1861 he took in as partner in the mercantile business at Frederica, James B. Anderson, Mr. Hall furnishing the capital. He retired from this business in 1867, and his son, John W. Hall, Jr., took his place. The firm of Anderson & Hall continued until 1884, when John W. Hall, Jr., retired, and has since been extensively engaged in the vessel business.

The pursuit of agriculture has always had its charms for Governor Hall. He inherited two farms from his father and one from Colonel John Wood, after whom he was named. By improved modes of farming they have become very valuable. He has since purchased large areas of land and now owns six thousand acres, divided into twenty farms, in a high state of cultivation, being one of the most extensive landholders in Kent county. The Warren Mansion, his last purchase, was one of the finest farms in the county; it belonged to his wife's deceased grandfather, having previously been in the family name for more than a century.

Governor Hall was married, November 15, 1842, to Miss Caroline Warren, only child of Samuel and Sarah N. Warren, of Murder Kill Neck. Of this marriage four children were born, viz.: Samuel Warren Hall, a capitalist in Dover; John W. Hall, residing in Frederica, early engaged in the vessel business; Sarah Henrietta, wife of Charles C. Lister, a prominent lawyer in Philadelphia; and Caroline Warren Hall, who died in her third year.

The ancestors of Mrs. Hall came from England, and were among the early settlers of Kent County. The family has always been wealthy and influential in the State. Samuel Warren, Sr., her grandfather, was several years a member of the State Legislature. Mary, one of his children, married John M. Darby, a nephew of Hon. John M. Clayton. Samuel Warren, father of Mrs. Hall, was born in 1800, and died June 15, 1869. He was one of the most enterprising farmers in Delaware. He owned a large landed estate; he took great interest in politics, but never would accept office; was highly esteemed, very benevolent, kind and liberal to the poor, of most excellent judgment and noble character. In politics Mr. Hall was originally a Whig. When that party ceased he became identified with the Democratic party. In 1861 the Legislature elected him State director in the Farmers' Bank, which position he held until 1883, when he resigned. In 1866 he was elected State Senator, leading the ticket in his county. He served the constitutional term of four years, with great acceptability. In 1876 he was a delegate to the National Democratic Convention, which nominated Samuel J. Tilden for President. In 1874 he was within three votes of being the nominee for Governor of Delaware, notwithstanding it was the turn for New Castle County to furnish the candidate. In 1878 he was nominated by acclamation and was elected to the office of Governor by an almost unanimous vote of the

State. His administration was a very popular one; his appointments gave general satisfaction, many of them being so acceptable that his successors reappointed the same persons to serve another term. Soon after the completion of his term as executive of the State, Governor Hall returned to enjoy the comforts and quietude of his home. He had previously been actively engaged in business and performing the duties of public office for a period of fifty years. He has since devoted his attention to his own private affairs. On March 26, 1846, he united himself with the Methodist Episcopal Church, and has been a consistent member ever since, and for many years has acted in an official capacity, holding several offices in said church. On March 19, 1887, his beloved and amiable wife died of pneumonia after an illness of but four days. She was a woman of many noble virtues, a most devoted mother, self-sacrificing, kind, gentle, loving and affectionate.

Among the appointments made by Governor Hall during 1879 were those of James Parke Postles as adjutant-general of the State and George Gray to be attorney-general for five years from October 3d. James L. Wolcott was selected by the Governor as his secretary of State.

The Legislature this year was entirely Democratic. An act was passed in relation to tramps; it made it the duty of the corporate officers of every town to place at work "any person without a home in the town or hundred in which he may be found wandering about, without employment and the regular and visible means of living."

A canvass of the votes for Governor by the Legislature showed the following result:

| COUNTIES. | Hall. | K. J. Stewart. | Scattering. | Total. |
|-----------------|-------|----------------|-------------|--------|
| New Castle..... | 6030 | 675 | 81 | 5686 |
| Kent | 2208 | 33 | 7 | 2248 |
| Sumner..... | 3492 | 2127 | 0 | 5619 |

Hall's majority over Stewart.....7807

The Senate adopted a resolution, introduced by Senator Sharpley, to grant no divorces during the session for cases cognizant before the Courts. The resolution passed both Houses, after the amendment by the House that in cases considered, one or more responsible witnesses should be summoned.

Acts were passed requiring a stamp on oleomargarine, to distinguish it from butter; to regulate the business of insurance companies doing business in the State; it provided for the establishment of an insurance department and an insurance commissioner to be appointed by the Governor, who is to be an expert accountant and to give two thousand dollars security for the performance of his duties, which are described as follows: To see that all the insurance laws of the State are enforced, all companies to show certified copies of their charters and names and residences of their agents, examine into the affairs of the companies when he deems it advisable, to revoke charters and apply to the courts for the appointment of receivers when either fraudulent or insolvent, to

publish annually a statement of the assets and liabilities of companies doing business in the State and to make a biennial report to the Legislature of his acts during the two years.

The Legislature also decided to refund the State debt to the amount of \$800,000. The debt outstanding consisted of \$500,000 in bonds due in 1885, and \$300,000 in bonds due in 1890, all at six per cent. These were refunded at four and one-half per cent. bonds, due in 1900. The total State debt for the year was \$953,000, with no floating debt and an excess of \$165,799 over the former amount.

Unsuccessful efforts were made to pass acts creating a board of railroad commissioners, for the enrolment of the State militia, to grant local option to towns and to establish a State Board of Health. It was decided to remove the New Castle County court-house from New Castle to Wilmington.

During the year the fruit crops of the State were large. The centre of the fruit district was this year at Dover and the district about Milford. Here were extensive establishments for the putting up of fruits. The entire fruit district was estimated at twenty-nine thousand five hundred acres.

As set forth in the biennial report of the State Treasurer, Robert J. Reynolds, in 1880, the amount of State bonds outstanding at the end of 1880 was \$869,000, \$106,000 of bonds having been canceled within the two years. The interest-bearing investments held by the State, on account of the general fund, amount to \$673,050, and also investments amounting to \$448,999 for the benefit of free schools, consisting of the main part in bank stock. There was also a balance of assets over indebtedness, amounting to \$253,049.

On January 19th, and succeeding days, Judge Bradford, of the United States Circuit Court, listened to an argument for the appointment of United States supervisors of elections to attend the Levy Court and control the listing of voters. Anthony Higgins, representing the Republicans, made the argument in favor of the application, and Attorney-General George Gray and George H. Bates spoke against their appointment. Judge Bradford decided that supervisors of election could be appointed, upon due application, under the act of Congress to guard and scrutinize the assessment lists and the lists of electors made out from these and furnished to the inspectors of elections.

The case of the negro, William Neal, who was tried and convicted of rape, and sentenced to death, was taken, after a regular trial and conviction, to the United States Courts on an application of Counsel Anthony Higgins, to stay the execution of the sentence pending an investigation of the Supreme Court into the constitutionality of the mode of trial, and obtained an order to that effect from the Federal judge. The counsel had previously applied to the Superior Court of the State to transfer the case to the Federal Courts; but this they had unanimously

refused to do. The plea upon which the application was granted was that there was no negro on the jury which tried Neal, and that the trial was vitiated by the studied omission of colored men from the jury lists, which amounted to a breach of the Fifteenth Amendment to the United States Constitution.

Touching the mooted questions of the limits of Federal and State authority, which had come up during the year, Governor Hall, in his message, said:

"The repeated exercise of jurisdiction by Federal authorities over affairs purely of a domestic or local nature, such as the appointment of officers to supervise the assessment of persons in this State, and the interference with the administration of criminal justice, by challenging the State methods of constituting and organizing juries, have forcibly suggested allusion to this subject. It was hoped that these, and kindred other arbitrary expedients, which were ostensibly devised for the attainment of temporary ends, would disappear with the excitement out of which they were born. But in this we have been disappointed. The reaction of public sentiment which followed the partial subsidence of the unreasoning passions of men did not re-enthroned in the popular heart that sentiment of patriotism which alone is capable of subordinating the lusts of ambition to the sober dictates of reason, and of inspiring and shaping a governmental policy in accordance with the genius and spirit of our free institutions—a policy which raised this government from the condition of a few feeble States to the greatest power among the nations of the earth.

"This unwarranted assumption of power, clearly belonging to the States, which was first demanded as a temporary concession to the exigencies growing out of physical strife, is now claimed as a permanent right, based, as it appears, on no higher grounds than the absurd notion that the States are mere *quasi* corporations, subject to the control of a central visitatorial power, lodged in the Federal government. If this theory, which is at variance with all our ideas of republican government, is followed out to its logical conclusion, then those local institutions with which our dearest and fondest traditions are associated will be gradually drawn into the unyielding grasp of the Federal government, and the State governments will be nothing more than mere shells or empty forms, in which despotism will mask its hideous plots and conspiracies against the rights and privileges of humanity.

A serious election riot occurred in Wilmington on Saturday, the 16th of October, during a Democratic parade. While the procession was opposite the National Hall, Ninth and Walnut Streets, the paraders were attacked by a large number of negroes in the building. Pistols were fired into the building, and shot-guns from it by the negroes. The latter sought shelter in the houses and behind fences, from which points of vantage they were speedily dislodged

by the whites, who were much more numerous. The negroes were routed, and the excitement continued for several days. A number of persons were severely injured, but none killed.

The peach crop in 1880 amounted to about 4,109,000 baskets, or about 3,000,000 baskets less than the great crop of 1875. The bulk of the crop in 1879 was gathered in the southern part of the peninsula. In 1880 the most prolific section was the belt of country stretching from one bay to the other, north of North Murderkill, and south of Pencader and Lion Hundreds. The largest shipments were from Middletown and Smyrna.

The Republican State Convention to select delegates to the National Convention at Chicago met at Dover, May 6th. Resolutions were adopted declaring the party in Delaware in accord with the National party, declining to recommend any candidate for President and giving the delegates to the National Convention the free exercise of their judgment upon all questions.

The Greenback Party held a convention the same day, and adopted as a platform the principles of the National Greenback Party, and in favor of increasing the amount of exemption from debt to seven hundred dollars.

The Democratic Convention for delegates was held on the 25th of May, and another Democratic Convention for the nomination of a candidate for Congress, held on the 24th of August, at Dover, re-nominated E. L. Martin for Congress. The platform commended the rapid reduction of the State debt, and attributed it to "wise and economical administration of the State government by the Democratic administration; that continued control of the State was necessary to protect the citizens against the encroachment of the liberties of the people by the leaders of the Republican Party."

The Republican Convention was also held at Dover, on September 2d, and nominated Associate Judge John W. Houston as a candidate for Congress. The platform on State matters declared in favor of representation according to population, district representation, election of all officers by the people, a more liberal exemption law, and for the repeal of the assessment laws.

The returns of the November election gave a majority for the Hancock and English electors of 1039, out of a total vote of 29,444; a majority for the Democratic candidate for Congressman over the Republican of 692, out of a total vote of 29,356. The Republicans elected their full ticket in New Castle County, and the Democrats in the two lower counties. Judge Houston gave notice that he would contest the seat of Mr. Martin in the National House of Representatives, on the ground that nine hundred illegal votes had been cast for Mr. Martin, and that the same number of citizens who possessed a constitutional right to the franchise, and who would have given him their suffrages, were prevented, through irregu-

larities of registration, from voting. The object was to invite a Congressional inquiry into the assessment laws. The contest was subsequently abandoned.

At the Legislature of 1881 a bill was passed appointing an assistant superintendent of public schools at a salary of eight hundred dollars and a State Board of Education, to consist of the Secretary of State, president of Delaware College and the superintendent of public schools, was created. The Governor in his message to the Legislature called attention to "the open and unblushing bribery and intimidation alleged to have been practiced at the recent elections in this State," and urged that body to pass some act to secure the purity of the ballot. The message referred particularly to the undue influence used by employers with their employees, and in consequence the Legislature passed an act making it a criminal offense for any employer to attempt to influence an employee in the exercise of the right of suffrage. Among the other acts passed at this session were, to authorize the establishment of local boards of health, to provide for the registration of marriages, births and deaths, to require fire-escapes on buildings, to provide a uniform ballot for elections, to prevent political parades in the night time, to create the office of fish commissioners and appropriating one thousand two hundred dollars for the militia of the State (the first State aid given).

The Legislature re-elected Hon. T. F. Bayard United States Senator by a vote on joint ballot of Bayard 22, Higgins 8, and provision was made for the proper celebration of the centennial of the battle of Yorktown.

The State treasurer, in his report, in 1882, showed a balance over all indebtedness of \$399,934.98.

The Republican State Conventions that met in Dover July 27, 1881, declared as their platform in favor of protection to American industries, that the Democratic party was not worthy of the confidence of the people, arraigned the Democratic party for a number of alleged evils, and in favor of a constitutional convention to amend the Constitution. Upon this platform Albert Curry, of Sussex, was nominated for Governor and Washington Hastings, of Wilmington, for Congress.

The Democratic Convention met August 22d. The platform lauded the "honest administration of State affairs," and declared that "not a dollar had been lost to the State by the defalcation of a Democratic official," condemned the Neal case, in favor of justice to New Castle County, either by constitutional convention or legislative enactment, and defended the assessment laws. Charles C. Stockley was nominated for Governor and Charles B. Lore for Congress. The election, which followed resulted in the choice of the Democratic ticket, Stockley receiving 16,558, Curry, 14,620—majority for Stockley 1938. Lore, 16,563, Hastings, 14,640—majority for Lore 1923. The Democrats elected every member of the Legis-



Richard D. Webb

2000

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The literature is silent that the Federal States of Latin America to expand the drug use, and consequently, the production of drugs in the region is known.

The South Association, the first step in the other direction, held a series of meetings in the State Convention Hall, July 27, 1884, and the association of the two was a result. Thereafter the two were not worthy of the people's attention. During the late of August, 1884, the two were merged into one of the two, the platform. A great change in the political and economic situation, for Congress.

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the 1980s, the Commission has been successful in persuading the Council to accept a number of important measures. The Commission has been able to secure the Council's agreement to a number of measures which would have been unlikely to have been adopted by the Council alone. The Commission has also been successful in persuading the Council to accept a number of measures which would have been unlikely to have been adopted by the Council alone.

the authors. Finally, the authors are grateful to the referees for their constructive comments, which improved the structure of the paper. Correspondence: Patrick W. Miller, patrick.w.miller@unsw.edu.au.

It is not surprising that the first step in the process was to identify the role of the American and international community in the construction of the new state, and that the role of the United States was particularly emphasized. A study by Professor Robert L. Brown, "The Role of the United States in the Construction of the New State of Mexico," was published in the *Journal of American Studies*. The professor argued that the United States had played a significant role in the construction of the new state, and that the United States had been instrumental in the process of the State's reconstruction and development. He also noted that the United States had been instrumental in the process of the State's reconstruction and development, and that the United States had been instrumental in the process of the State's reconstruction and development.

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Chas. L. Stockley

lature. Governor Stockley was inaugurated January 16, 1883, and Hon. Eli Saulsbury was re-elected United States Senator.

Charles C. Stockley, Governor of Delaware, was born in Georgetown, Sussex County, November 6, 1819. His father, Jehu Stockley, was a native of the same county, and during his lifetime one of its prominent and representative citizens. He enjoyed the confidence of the people in a large degree, and filled several public offices of trust and responsibility, the duties of which he discharged with credit to himself and satisfaction to the people. He died in August, 1830, at the early age of forty-three years. The mother of Governor Stockley was Hannah Rodney Kollock, daughter of Philips Kollock, and a niece of Daniel, Caleb, Thomas and John Rodney, prominent and influential citizens of the State. Daniel Rodney became Governor of Delaware, and Caleb, his brother, being Speaker of the Senate upon the death of Governor John Collins, also became *ex officio* Governor. Mrs. Stockley died in 1856, in the sixty-sixth year of her age.

Governor Stockley received his early education in his native county, and completed his studies at a select school in the city of Philadelphia. He began his business life as a clerk in Georgetown, and afterwards filled a similar position in a store in Philadelphia. He returned to Sussex County in 1839, and taught school until 1846, occasionally assisting as clerk in the neighboring stores. In 1846 he entered into business for himself, opening a general store at Millsboro', where he continued until 1856. In the year 1852 he was appointed county treasurer, and held that office for two terms. In 1856 he was elected sheriff of the county, and performed the duties of the place for the full term. In 1873 he was elected to represent Sussex County in the State Senate, and was chosen Speaker in the year 1875, performing his duties as presiding officer in an efficient and capable manner and adding greatly to his popularity. Being during the whole of his life an active, earnest and successful worker in the cause of Democracy, he was not lost sight of after his retirement from the Senate, and on August 22, 1882, received, without seeking it, the nomination of the Democratic party as Governor of the State. The nomination was followed by election, and it is a matter of current history to-day that the administration of Governor Stockley was characterized by an honest, intelligent and successful discharge of the high duties of the gubernatorial office, and met with the sincere approval of the people of the State.

Aside from his political career, Governor Stockley has led an active and successful business life, and identified himself closely with the material development of his section of the State. As early as 1860 he was warmly interested in the welfare of the Junction and Breakwater Railroad, and served efficiently as a member of the board of directors until the completion of the road. He was also active in securing

the charter of the Breakwater and Frankford, and Worcester Railroad Companies, which are important links connecting those roads with the Junction and Breakwater road. He was president of the Breakwater and Frankford Railroad for several years, but resigned most of his railroad connections after his nomination as Governor—retaining, however, the position of director in the Worcester road.

Governor Stockley is also president of the Farmers' Bank, at Georgetown, and connected with other important business enterprises in Sussex County. He owns a large quantity of land in the county and devotes much of his time to farming and fruit-growing. He has always felt a deep interest in the public school system of the State, and done all that he could to promote its prosperity. He is of a kind and genial disposition, possessed of fine judgment and superior business ability, is an enthusiastic sportsman, and ever manifests a warm and steadfast fidelity to his friends. His integrity of purpose and deed, and the purity of his public and private life have never been questioned. He married, in 1857, Miss Ellen W., daughter of James Anderson, a highly respected citizen of Sussex County, for many years cashier and afterwards president of the Farmers' Bank, at Georgetown, and has had one daughter, Hannah E., wife of Judge John H. Paynter, of the Superior Court of Delaware.

Governor Stockley, in his inaugural address in 1882, recommended the amendment of the Constitution, three school superintendents in place of one, and opposition to any change of the liquor law.

The Legislature proposed amendments to the Constitution, increasing the number of Representatives, one in relation to the judiciary, and one providing for a genuine corporation act. It also, at the session of 1883, passed acts to prevent the procurement of abortion, a general incorporation act to establish a State library, and an act making the forming of an opinion in a capital case a disqualification for jury service.

In 1884 the report of the State treasurer showed an excess in the treasury of \$329,049. The convention of the Republican party, which met at Dover September 30, 1884, denounced the proposed amendments to the Constitution, and nominated Anthony Higgins for Congress. The Democratic Convention met October 1st, and renominated Mr. Lore. The result of the vote was Lore, 17,054; Higgins, 12,978. The vote for Presidential electors was, Republican 12,951; Democratic 16,964. The entire Democratic legislative ticket was elected.

The Legislature of 1885 refused to pass the Constitutional amendments, and elected Attorney-General Gray United States Senator to fill out Secretary of State Bayard's unexpired term. The Democratic Convention, which met August 17, 1886, nominated Benjamin T. Biggs for Governor, and John B. Pennington for Congress. The Republicans held no convention, and the Temperance Reformers nomina-

ted James R. Hoffecker for Governor, and R. M. Cooper for Congress. The vote for Governor was, Biggs, 18,943; Hoffecker, 7732. The Governor, in his message to the Legislature in 1887, again recommended the Constitutional amendments, the purchase of a State insane asylum and State prison.

Governor Biggs was inaugurated January 18, 1887, in the presence of both Houses of the General Assembly. His inaugural address took strong grounds against reappointments to office and in favor of a Constitutional Convention. The Legislature passed a number of important laws, among which were one authorizing the people to vote for or against a Constitutional Convention, to make husbands support their wives and children, and making three superintendents of schools instead of two. During the session an act was passed refunding two hundred and fifty thousand dollars of the State debt at three per cent.; the loan was immediately taken at par.

Benjamin Thomas Biggs, present Governor of Delaware (1887), was the eldest son of John Biggs, a farmer of Pencader Hundred, New Castle County. He was born October 1, 1821. In his youth he attended the schools of his neighborhood, studying the branches of instruction usually given in the private schools of that time. When nineteen years of age he went as a student to Pennington Seminary, New Jersey, an institution under the care of the New Jersey M. E. Conference. After two years of study there he taught a private school for two years, and then entered the Wesleyan University at Middletown, Connecticut. Returning home from this institution, he engaged in farming, a pursuit which is particularly agreeable to his tastes, and cultivated, on his father's lands, cereals and peaches for twenty years. Although agricultural pursuits are his chief delight and occupation, his natural and acquired capacity for public responsibilities brought him by a sort of natural affinity into the arena of public life. His taste and ability, both literary and forensic, have made him conspicuous in the discussion of questions of public interest. He has thus been a prominent figure in the assemblies of the people.

In 1846 he was commissioned by Governor William Temple major of the Delaware regiment, which was intended for service in Mexico in the event of war with that country. In 1852 he was elected a member of the convention that was called to amend the State Constitution. Ceasing, about this time, to be a Whig, because that party seemed to have fulfilled its mission, and declining to unite with the "Know-Nothing" party, because he deemed it too proscriptive, he began in 1854 to affiliate with the Democratic party, and has since been identified with it, both as a voter and public champion of its principles.

In 1860 he was a candidate of that party for Congress, but was defeated by Honorable George P. Fisher, by two hundred and forty-seven votes. In 1867 he was elected a director of the Queen Anne's and Kent County Railroad, and in 1874 was made

president of the company and remains in that position. In 1868 he was again nominated for Congress and was elected by a majority of three thousand three hundred. Two years afterwards he was renominated and again elected by two thousand five hundred and twenty-five majority. In 1877 he removed from his farm, which had been partly inherited, but chiefly purchased from the co-heirs of his father's estate, to Middletown, and now resides in the handsome residence that he built there.

After his service in Congress and return to his favorite pursuits on the farm he gave particular attention to the culture of peaches, and has had eminent success. He and his two sons now have sixty-seven thousand peach trees upon their lands in Queen Anne's and Kent Counties, Md., whither the culture has drifted year by year, on account of the "yellows," from Northern and Central Delaware. These trees at the lowest estimate will yield a basket each per season. In 1887, by the advantages afforded by the Queen Anne's and Kent Railroad, this fruit netted to the grower eighty cents and one dollar per basket of five gallons. But Mr. Biggs was not to be permitted to remain in the quiet and congenial occupation of peach-culture. In 1886 he was selected by his party as their candidate for Governor of the State. After an exciting and vigorously conducted contest, both before and in the convention that nominated him, he was chosen as the candidate by a vote of one hundred and two out of one hundred and eighty ballots cast. His opponents, who, until the final ballot, had voted for four competitors, massed their suffrages upon one candidate with the result just stated. The people confirmed this choice by a majority of six thousand one hundred and ten over James Hoffecker, the nominee of the Republican party. Gov. Biggs is now (1888) in office.

He was married, May 18, 1853, to Miss Mary S. Beckman, of Griggstown, New Jersey. Three of their five children survive. John, a graduate of Princeton, who studied law with Victor Du Pont, Esq., of Wilmington, was admitted to the bar in November, 1879, and is now Attorney-General for the State, having been previously deputy under Attorney-General John H. Paynter. Jennie is a graduate of Wesleyan Female College, Wilmington, of the class of 1876 and lives at home with her parents. Willard is a graduate of Fort Edward, New York, and now lives at Middletown with his father, and with him gives attention to peach-culture and manages the real estate in Maryland. Governor Biggs is a busy man, but seems to thrive in the midst of his many activities. He enjoys excellent health and shows no sign of diminished vigor. He is a man of medium stature and well-preserved. Besides the cares of state, to which he gives his first attention, and the obligations of domestic life, his fellow-citizens have required him to give some of his counsels to their financial interests by retaining him as a director in the Citizens' National Bank, of Middletown, to



B. T. King

HISTORY OF DELAWARE

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president of the company and remains in the same position. In 1868 he was again nominated for Governor and was elected by a majority of three thousand two hundred. Two years afterwards he was re-elected and again elected by two thousand two hundred and twenty-five majority. In 1877 he was elected from his farm which had been purchased from the estate of his father, to Middletown, and now resides in the house some residence that he built there.

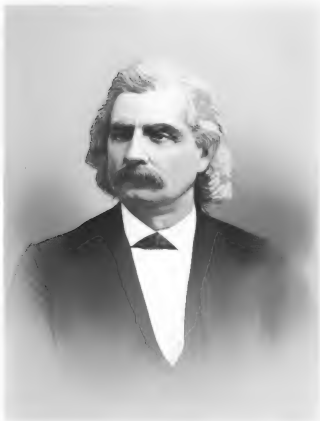
After his service in Congress, and returning to his former pursuits on the farm he was particularly attentive to the culture of peaches, and has had considerable success. He and his two sons now have sixty-seven thousand five hundred trees upon their land in the Queen Anne's and Kent Counties, Md., which they have been planting year by year, on account of the "yellows," from Northern and Central Europe. These trees at the lowest cost have yielded from one to five per season. In 1887, by the adventitious of the Queen Anne's and Kent Railroad, to be added to the grove eighty cents and one quart of a basket of five gallons. But Mr. Begg was not permitted to remain in the position of a grove of peach culture. In 1886 he was selected as their candidate for Governor of the State. At an exciting and vigorously conducted campaign, both before and in the convention that was held, he was chosen as the candidate by a vote of one hundred and two out of one hundred and forty-five lots cast. His opponents, who, in the first place, had voted for four competitors, massed together upon one candidate with the result that the people confirmed this choice by a majority of one hundred and ten over one hundred. Hoocker, the nominee of the Republican Party, Gay Begg is now (1888) in office.

He was born May 18, 1803, to Messrs. Beckman, of Griggstown, New Jersey, their five children survive. John, of Princeton, who studied law at Du Pont College of Wilmington was elected in November, 1879, and is now Attorney of the State, having been previously deputy Attorney-General John H. Paynter, Jr., of the Wesleyan Female College, Wilkes-Barre, Pa., of 1876, and lives at home with his father. He is a graduate of East Howard Normal, lives at Middletown with his father, gives attention to peach culture, and real estate in Maryland. He is a Republican, but seems to take little part in the activities. He is a member of the Board of Directors of the Chesapeake and Delaware Canal, and was president of the same to which he gives his financial assistance. He is a member of the National Association of

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B. T. Biggs

which position he was chosen in 1869. He is also an active friend of every good cause, especially of religion and liberty, as is well-known by the interest he has publicly manifested in the unhappy condition of Ireland, whose wrongs and sufferings he greatly deploras. He is a member of the Methodist Episcopal Church of Middletown.

The people voted for a Constitutional Convention on November 1st, 1887, and it failed to pass, lacking one thousand votes of the number required by the existing Constitution. The State treasurer's report made to the Legislative committee of 1888 showed a balance in favor of the State of over \$300,000.

The want of all statistical information relating to the State, since 1880, compels reliance on the tenth census for all data relating to the present condition of the progress of the State. The gradual increase in population in each decade from the first census in 1790 to the tenth census in 1880, will be found in the following table:

| POPULATION FROM 1790 TO 1880, INCLUSIVE. | | | | |
|--|---------|---------------|---------|---------|
| Census. | White. | Free Colored. | Slaves. | Total. |
| 1790..... | 46,310 | 3,999 | 8,887 | 59,196 |
| 1800..... | 49,852 | 8,268 | 6,153 | 64,273 |
| 1810..... | 55,361 | 13,136 | 4,177 | 72,674 |
| 1820..... | 55,282 | 12,958 | 4,509 | 72,749 |
| 1830..... | 57,601 | 15,855 | 3,292 | 76,748 |
| 1840..... | 58,561 | 16,919 | 2,605 | 78,085 |
| 1850..... | 71,169 | 18,973 | 2,290 | 91,532 |
| 1860..... | 90,589 | 19,820 | 1,798 | 112,216 |
| 1870..... | 102,221 | 22,794 | | 125,015 |
| 1880..... | 120,166 | 26,442 | | 146,608 |

Of the total population in 1880, 74,108 were males and 75,500 were females; 137,140 were natives and 9468 foreigners; 120,160 were white, 26,442 colored, one Chinese and five Indians.

The density of population, ascertained by dividing the whole population by the total land area of the State was, for 1880, 74.8; for 1870, 63.7; for 1860, 57.3; for 1850, 46.7; for 1840, 39.8; for 1830, 39.2; for 1820, 37.1; for 1810, 37.1; for 1800, 32.8; for 1790, 30.2.

The distribution of the population in 1880 was 138,834 above 100 feet above sea level, as against 118,664 in 1870, and 7774 between 100 and 500 feet above sea level in 1880, as against 6351 in 1870.

The State ranks in population 37; in number of farms, 35; in aggregate value of farms, 34; in aggregate value of products 35; in number of manufacturing establishments, 35; in capital, 34; and in value of products, 28.

There was an increase in population of 17.27 per cent. over that of 1870, and of 6.75 per cent. in manufactures; and 44.44 per cent. in capital and 27.17 in products over 1870.

There were in 1880, 14,148 persons engaged in manufactures, of whom 12,248 were males, and 1864 females; of the males 401, and of the females 173, were between 10 and 15 years of age; 11,252 males and 1657 females were between 16 and 59 years; and 631 males and 34 females were 60 years and over. Of those engaged in manufactures, 12,327 were natives of the United States, 858 of Ireland, 342 of Germany,

473 of Great Britain, 19 of Scandinavia, 34 of British America, and 95 of other countries. The native per cent. was 87.13, and the foreign per cent. 12.87, the latter being distributed between 42.12 Irish, 18.78 Germans, 25.97 Great Britain, 1.04 Scandinavia, 1.87 British America, and 5.22 other countries.

The distribution of population by counties was as follows:

| | POPULATION BY COUNTIES. | | | | |
|-----------|-------------------------|------------------------|--------|-------------|---------|
| | State. | Per Cent. of Increase. | Kent. | New Castle. | Sumner. |
| 1790..... | 18,920 | | 18,920 | 19,680 | 20,488 |
| 1800..... | 64,273 | 8.7 | 19,554 | 23,361 | 19,358 |
| 1810..... | 72,674 | 13.0 | 20,495 | 24,429 | 27,750 |
| 1820..... | 72,749 | 0.1 | 20,793 | 27,899 | 24,057 |
| 1830..... | 76,748 | 5.4 | 19,913 | 29,720 | 27,115 |
| 1840..... | 78,085 | 1.7 | 19,872 | 33,120 | 25,093 |
| 1850..... | 91,532 | 17.2 | 22,816 | 42,780 | 25,936 |
| 1860..... | 112,216 | 22.5 | 27,804 | 54,797 | 29,615 |
| 1870..... | 125,015 | 11.4 | 29,804 | 63,515 | 31,696 |
| 1880..... | 146,608 | 17.2 | 32,874 | 77,716 | 36,008 |

MORTALITY STATISTICS.—The deaths in the State under 1 year in 100 born were, of whites, 11.96; colored, 14.81. The proportion of deaths to 1000 births in 1880 was, of males, 88.9; of females, 73.5; of whites, 85.4; of colored, 67.2. The total deaths in census year were 2212, at rate 15.09 per 1000, of which 891 or 14.66 per 1000 were males; 846 or 14.25 per 1000 were females; 222 colored males, or 16.65 per 1000; and 253 colored females or 19.29 per 1000.

THE MERCHANT TONNAGE of the State was conducted by 25 steamers, of 5877.07 tons, valued at \$302,300, with capital invested of \$497,800, carrying crews numbering 239 persons, with gross earnings of \$139,993, paying for services \$55,289, with a passenger traffic of 67,590 persons, a freight traffic of 152,960 tons, using 8461 tons of coal and 1749 cords of wood. There were 159 sailing craft registered, with 12,127.56 tons, valued at \$303,175, and 1 canal boat, of 150 tons, valued at \$2600; 9 barges, of 1342.37 tons, valued at \$45,500; 6 flats, of 300 tons, valued at \$3500.

The "true" value of real and personal estate, in 1850, was \$21,062,556, being \$230 *per capita*; in 1860, \$46,242,181, or \$412 *per capita*; in 1870, \$97,180,833, or \$777 *per capita*; in 1880, \$136,000,000, or *per capita* \$928. The total assessed valuation for taxation, in 1880, was \$59,951,643.

STATE INDEBTEDNESS.—There was deposited with the State, under the act of Congress of June 23, 1836, \$286,751.49, and under the act of August 4, 1790, the United States assumed \$59,161.65 of the State's Revolutionary indebtedness.

In January, 1880, the State had a funded debt of less than \$1,100,000, and at that date had safe investments and cash in the treasury to an amount in excess of her debt. Prior to the Civil War the State had no bonded debt, and the first bonds, amounting to \$1,000,000, were issued January 1, 1865. This is known as the war loan, and of this amount \$588,000 has been redeemed, leaving outstanding, in 1880, \$512,000, which became due in 1885. By act of the General Assembly, January, 1867, a further loan of \$400,000 was negotiated, of which amount there has been redeemed, in January, 1880, the sum of \$170,000.

The remainder of this loan will mature January 1, 1890.

On January 1, 1874, a loan of \$200,000 was made, of which \$116,000 remained unpaid January 1, 1880. These last two loans are called the internal improvement bonds, the issues having been loaned to certain railroad companies within the State.

The State holds first mortgage bonds on the railroads, and the interest is promptly paid. The outstanding debt on January 20, 1880, was \$918,000, and the floating debt (for school purposes), \$22,000, made a total of \$940,000. At that date the State's assets consisted of:

| | |
|--|-----------------------|
| Mortgage on Junction & Breakwater Railroad..... | \$400,000.00 |
| Mortgage on Breakwater & Frankford Railroad..... | 200,000.00 |
| Stock in Farmers' & Delaware Banks..... | 73,050.00 |
| Investments for use of schools..... | 442,000.00 |
| Cash on hand..... | 79,168.75 |
| Total assets..... | \$1,290,307.75 |
| Floating and funded debt..... | 940,000.00 |
| Balance in favor of the State..... | \$290,307.75 |

There is no constitutional provision restricting the Legislature, or any county, city or other municipality, from incurring debts, subscribing to stock or loaning their respective credit.

AGRICULTURE.—There were in 1880, 8749 farms, embracing 1,090,245 acres inclosed, of which 746,958 acres were improved and 343,287 acres unimproved. The value of these farms was \$36,789,672; that of the farming implements was \$1,504,567; that of the live stock on the farms was \$3,420,080; the buildings were valued at \$228,592; and the fertilizers used in 1879 were valued at \$467,228. The products of the farms amounted to \$6,320,345. The sizes of the farms were as follows: 4 farms under 3 acres, 311 between 3 and 10 acres, 484 between 10 and 20 acres, 1205 between 20 and 50 acres, 2039 between 50 and 100 acres, 4631 between 100 and 500 acres, 66 between 500 and 1000 acres, and 7 over 1000 acres. The average size of farms in the State was 125 acres.

Of these farms, there were in *Kent County* 2473, embracing 319,609 acres, of which 54 farms were under 10 acres, 127 farms between 10 and 20 acres, 335 farms between 20 and 50 acres, 554 farms between 50 and 100 acres, 1370 farms between 100 and 500 acres, 30 farms between 500 and 1000 acres, and 3 farms over 1000, the average size of farms being 129 acres.

In *Kent County* there were 7332 horses, 1415 mules and asses, 913 working-oxen, 7275 milch cows, 6210 other cattle, 6297 sheep, 11,830 swine; the wool-clip was 30,425 pounds. There were 80,912 gallons of milk, 419,312 pounds of butter, 362 pounds of cheese and 740 pounds of tobacco.

In *New Castle County* there were 2061 farms, embracing 253,939 acres, divided into 2 farms under 3 acres, 116 between 3 and 10 acres, 161 between 10 and 20 acres, 284 between 20 and 50 acres, 451 between 50 and 100 acres, 1035 between 100 and 500 acres, 10 between 500 and 1000 acres and 2 over 1000 acres, the average size being 123 acres. In this

county there were 8488 horses, 884 mules and asses, 612 working-oxen, 13,036 milch cows, 7451 other cattle, 7795 sheep, 11,978 swine, 36,796 pounds of wool, 938,867 gallons milk, 1,072,350 pounds of butter and 558 pounds of tobacco.

In *Sussex County* there were 4215 farms, embracing 516,697 acres, divided as follows: 2 farms under 3 acres, 141 between 3 and 10 acres, 146 between 10 and 20 acres, 586 between 20 and 50 acres, 1034 between 50 and 100 acres, 2221 between 100 and 500 acres, 26 between 500 and 1000 acres and 4 over 1000 acres. The average size of the farms was 123 acres. There were in this county 6133 horses, 1632 mules and asses, 4293 working-oxen, 6973 milch cows, 6789 other cattle, 7875 sheep, 24,378 swine, 30,725 pounds of wool, 103,595 gallons of milk, 384,613 pounds of butter and 1350 pounds of tobacco.

The cultivation of the farms was, in *Kent County*, 1313 by the owners, 134 were rented for a fixed money rental, and 1526 were rented on shares of product. In *New Castle* 1220 farms were cultivated by owners, 271 rented for fixed money rental, and 570 rented for shares of product. In *Sussex* 2508 farms were cultivated by owners, 106 rented for fixed money rental, and 1601 rented for shares of products.

The agricultural products of the State and the acreage of crops was as follows: In barley 19 acres, producing 523 bushels; in buckwheat 397 acres, producing 5857 bushels; in Indian corn 202,120 acres, producing 3,984,264 bushels; in oats 17,158 acres, producing 378,588 bushels; in rye 773 acres, producing 5953 bushels; in wheat 87,539 acres, producing 1,175,272 bushels; of flax seed there were 4 bushels, 672 tons of straw and 130 pounds of fibre; of sorghum 25,136 gallons. In hay there were 42,688 acres mown and 49,632 tons saved, with 396 bushels of clover seed.

There were 268,692 barn-yard fowls, 96,207 other kind, and 1,427,087 dozen eggs. The apiarian products were 76,234 pounds of honey and 2151 pounds of wax.

There were 4 acres in tobacco, producing 1278 pounds, of Irish potatoes 283,864 bushels and of sweet potatoes 195,937 bushels.

The value of orchard products was \$846,692, and of market gardens \$166,575. The forest products were 103,890 cords of wood cut, valued at \$274,885. There were 21,967 fleeces clipped, weighing 97,946 pounds. Of pulse products there were 1056 bushels of peas and 1380 bushels of beans.

In 1870 the improved acreage in the State was 693,155, which in 1880 had increased to 746,958 acres. The production of wheat increased from 895,477 bushels in 1870 to 1,175,272 in 1880; Indian corn from 3,010,390 bushels in 1870 to 3,984,264 in 1880. The cash value of farms in 1870 was \$46,712,870; in 1880, \$36,789,672; of farming implements in 1870, \$1,201,644; in 1880, \$1,504,567.

MANUFACTURES.—The average number of male

hands employed in manufactures was, in 1880, 10,250 above sixteen years of age, 1426 females above fifteen years of age and 962 children and youths.

The total amount paid in wages during the year was \$4,267,349, and that expended for materials was \$12,828,461, and the value of manufactured products aggregated \$20,514,438. As compared with the years 1850 to 1880, the progress of the manufactures of the State will be seen in the following table :

| Census | No. of Estbs. | Capital. | Hands | Wages. | Material. | Products. |
|-----------|---------------|-------------|--------|-----------|-------------|-------------|
| 1850..... | 531 | \$2,978,945 | 3,888 | \$406,924 | \$2,864,007 | \$4,649,296 |
| 1860..... | 615 | 5,452,887 | 6,421 | 1,905,754 | 6,528,008 | 9,892,902 |
| 1870..... | 800 | 10,839,083 | 9,710 | 3,692,195 | 10,296,397 | 16,791,382 |
| 1880..... | 746 | 15,555,822 | 12,038 | 4,267,349 | 12,828,461 | 20,514,438 |

The wages paid in manufacturing establishments increased from \$936,924 in 1850 to \$1,905,754 in 1860; to \$3,692,195 in 1870; to \$4,267,349 in 1880.

The value of the material used increased in a like manner, rising from \$4,649,296 in 1850 to \$9,892,902 in 1860; to \$16,791,382 in 1870; to \$20,514,438 in 1880.

While the increase in population from 1870 to 1880 was 17.71 per cent., that of manufactures, while showing a decrease in number of establishments of 6.75 per cent., shows an increase of capital invested of 44.44 per cent., and an increase of 22.17 per cent. in the aggregate value of gross products. The products of carpentering were valued in 1880 at \$313,255, being a *per capita* product of \$2.14, and that of blacksmithing was valued at \$148,663, which was a *per capita* product of \$1.01.

POWER FOR MACHINERY.—The total steam and water-power reduced to horse-power was in 1870, for the whole State 8533, and in 1880 for the whole State 15,428, being an increase of 80.80 per cent. In 1870 the proportional amount of steam and water-power was, for steam, 50.54 per cent.; for water, 49.46 per cent. In 1880 these proportions were, for steam 68.98 per cent., and for water 31.02 per cent. The State ranks 32 in total power, 0.45 in total steam-power and water-power, 31 in water-power, 0.39 in total water-power, 33 in steam-power and 0.49 in steam-power.

With an area of 1960 square miles, there was 7.87 per cent. horse-power of total steam and water-power per square mile, 2.44 per cent. horse-power of water-power per square mile, and 5.43 per cent. horse-power of steam-power per square mile.

There were 317 establishments with 232 wheels, using 4785 horse-power driven by water, 365 boilers with 254 engines of 10,643 horse-power, and a total of 15,428 horse-power in the State. Of these establishments, 6 were for agricultural implements, 1 for carriages and wagons, 10 for cotton goods, 81 flouring and grist-mills, 14 foundries, 7 iron and steel, 86 lumber, 4 paper, 5 woolen, 103 all other industries.

COTTON INDUSTRY.—There were in 1831, 10 cotton manufactories with 24,806 spindles; in 1850, twelve establishments; in 1860, 11, with 38,974 spindles; in 1870, 6 establishments with 29,534 spindles; and in 1880, 8 establishments with 46,188 spindles. In 1831

there were 235 looms; in 1860, 986; in 1870, 771; in 1880, 822. In 1831 there were 1373 persons employed; in 1850, 838; in 1860, 1109; in 1870, 726; in 1880, 791. The capital invested in 1831 was \$384,500; in 1850, \$460,100; in 1860, \$582,500; in 1870, \$1,165,000; and in 1880, \$874,500. The wages paid in 1860 were \$220,224; in 1870, \$190,069; in 1880, \$192,727. The cotton consumed in 1831 was 1,435,000 pounds; in 1850, 2,128,500 pounds; in 1860, 3,403,000 pounds; in 1870, 2,587,615 pounds; in 1880, 3,236,184 pounds. The value of the material used in 1850 was \$312,068; in 1860, \$570,102; in 1870, \$704,733; in 1880, \$527,205. The number of manufactured goods in 1850 was 1,201,500 pounds; in 1870, 2,437,649 pounds; in 1880, 2,867,969. The value of manufactured products in 1850 was \$538,439; in 1860, \$441,703; in 1870, \$1,060,898; in 1880, \$871,007.

WOOL MANUFACTURE.—There are five establishments for the manufacture of wool, with a capital of \$352,559—using 13 sets of cards, with a daily capacity of 1700 pounds, with 26 broad looms and 99 narrow looms and 1 hand loom; 4306 spindles. The operatives employed are 168 males, of whom 23 are under sixteen years; and 59 females, of whom 8 are under fifteen years; total number of employees, 258, whose wages and salaries aggregated for the year \$108,504; consuming during the year 203,206 pounds of foreign wool in the condition purchased; also 633,677 pounds of domestic wool in the condition purchased, and 488,278 pounds of scoured wool, all valued at \$291,138. There were also used 20,684 pounds of camel hair and noils, valued at \$11,822, with 30,100 pounds of cotton, valued at \$3620, and 346,778 pounds of shoddy, valued at \$77,915; and 25,000 pounds of cotton warp, valued at \$5000. The value of chemicals used was \$13,139. There was consumed 360 cords of wood, valued at \$864; also 1033 tons of coal, valued at \$4533. The total value of all materials used was \$448,285, and the value of products \$665,253. The products were 835,140 yards of cloths, cassimeres, doeskins, diagonal and suitings, and 8121 yards of kerseys, 500 pounds of woolen yarn, 8000 pounds of woolen rolls.

EARLY MANUFACTURE OF IRON.¹—The earliest mention of "Iron Hill," in Delaware was in 1663, by Vice-Director de Hirngossa, and is found, in 1684, in the first volume of the Colonial Records of Pennsylvania, where it is said that James Bowle lived near "Iron Hill," about eight miles from New Castle. This was in 1684, and this same "Iron Hill" is mentioned in Oldmixon's "British Empire in America," edition of 1708, in referring to New Castle County, then in Pennsylvania, but now in Delaware, as a place called "Iron Hill, from iron ore found there."

On the 24th of September, 1717, the Governor of Pennsylvania, Sir William Keith, wrote to the Board of Trade in London that he had found great plenty of

¹ For further particulars on the early manufacture of iron in Delaware, see histories of Mill Creek and Pencader Hundreds, in New Castle County, and Nanticoke, Northwest Fork, Broad Creek and Dagaborough Hundreds elsewhere in this work.

iron ore in Pennsylvania; and Bishop notes that Sir William Keith had iron works in New Castle County, Del., erected previous to 1730, and probably during his administration, from 1717 to 1726. This enterprise consisted of a furnace and a forge, which were located on Christiana Creek, and are said to have had a short life. Iron was, however, made in the bloomeries on the Christiana and its branches after 1730, and there is a tradition that a furnace was in existence at the foot of "Iron Hill" after this date.

In the gable of an old Baptist Church near "Iron Hill" is a cast-iron plate, dated 1746, which is said to have been cast at this furnace. John Ball owned a bloomery on White Clay Creek, in New Castle County; and "between Brandywine and Christiana is an iron mill," is a remark in the 1741 edition of Oldmixon.

These references give all the exactness that is now possible of the early history of the first iron enterprises in the State.

From Bishop it is learned that in Sussex County, at the southern extremity of the State, there was "bog ore in the shape of a very pure hydrate, yielding from 53 to 66 per cent. of iron;" that it existed in large beds in the vicinity of Georgetown and on the branches of the Nanticoke and Indian Rivers, and that the manufacture of iron and castings was carried on before the Revolution to a considerable extent. "The compact hydrated peroxide of some of these beds has, since the early part of this century, been raised in quantities for exportation, and the local production of iron is less than it might have been."

In the "Report on the Arts and Manufactures of the United States," by Tench Coxe, in 1810, five forges in Sussex County are mentioned as producing in that year two hundred and fifteen tons of iron; but there is no mention of any blast furnace in the State. Bog ore from near Milton, in Sussex County, was at one time taken to Millville, N. J., to be smelted in a furnace at that place, which was built in 1815. This shipment of ore ceased about 1853.

Judge Caleb S. Layton, of Georgetown, in Sussex County, makes mention of a blast-furnace, about 1815, established at Millsborough, on the Indian River, about eight miles south of Georgetown, by Colonel W. D. Waples and others, and that a foundry was in connection with this furnace, an interest in which was purchased in 1822 by the Hon. Samuel G. Wright, of New Jersey, whose son, Colonel Gardiner H. Wright, in 1830, obtained an interest also, and afterwards operated the furnace until 1836, when it went out of blast finally, while the foundry continued in operation until 1879. In 1859, according to Lesley, the "Millsborough Charcoal Furnace," owned by Gardiner H. Wright, of Millsborough, Sussex County, Del., is the only furnace in the State, and has not made iron for ten years; a cupola furnace is in activity beside it. It is learned from Mr. Francis Vincent, of Wilmington, that the castings for the Eastern Penitentiary of Pennsylvania, and for Moyamensing Prison, and the iron railings which once surrounded Indepen-

dence Square in Philadelphia, were cast at Millsborough furnace—presumably at the "Cupola furnace." Jonathan Vaughan and others built Deep Creek Furnace, on Deep Creek, Sussex County, in 1764. The company had a stone wharf at the head of Nanticoke River, and shipped its iron direct to England. This iron was named "Old Meadow." In 1828 and in two subsequent years Millsborough furnace and foundry produced four hundred and fifty tons of pig-iron and three hundred and fifty tons of castings.

A slitting and rolling-mill near Wilmington, Del., was in operation in 1787-88, to which Swedish and Russian iron were sent, and the strips cut and rolled for the nail-works of J. G. Pierson & Brothers, of Ramapo, Rockland County, N. Y., there being no other rolling and slitting-mill available at that time. In 1810 there were three rolling and slitting-mills in New Castle County. Lesley stated in 1859 that the Delaware Iron-Works, located five miles northwest of Wilmington, owned by Allan Wood, of Philadelphia, and built in 1812, "began to manufacture sheet-iron thirty years ago in what had been a nail-plate works. At that time only Townsend, in New Jersey, made sheet-iron." Marshall's rolling-mill, on Red Clay Creek, two miles west of Newport, was built in 1836. The Wilmington Rolling-Mill, near Wilmington, was built in 1846. The Diamond State Rolling-Mill, at Wilmington, was built in 1834. These were the only rolling-mills existing in the State in 1859. Others have been built since. The business of iron ship-building, so extensively conducted at Wilmington, has since been added.

The "iron hill" referred to is situated about twelve miles from Wilmington, and near the Pennsylvania line. Ore taken from that "hill" has been used at Principio furnace, Cecil County, Md., since 1847. This ore has also been used in some furnaces in Pennsylvania. Previous to 1847 the mines had been worked but little.

IRON AND STEEL MANUFACTURES.—Delaware's rank in the production of iron and steel in 1870 and 1880 was nineteen, notwithstanding in 1870 her production was 8317, out of a total for the whole country of 3,655,215, and in 1880 her production was 33,918, out of a grand total of 7,265,140 tons. There were in the State 9 iron rolling-mills, employing \$1,431,469 of capital and 867 hands, of whom 818 are above sixteen years, and 49 below sixteen years, with an average of 56 hours per week of work, with \$2.49 as the average day's wages for a skilled mechanic, and \$1.17 for an ordinary workman; the total amount paid in wages during the year was \$344,476. The number of charcoal forge fires was 5; of single puddling furnaces, 35; of heating furnaces, 33; of hammers, 8; of trains of rolls, 28; the total daily capacity of tons of rolled iron was 141 tons. The number of tons of iron ore used was 3235, valued at \$20,090; of pig iron, 12,948, valued at \$299,795; of iron rails, 9500, valued at \$285,000; of old or scrap iron, 11,432, valued at \$301,322; of hammered iron-ore blooms,

1986, valued at \$84,240; of hammered pig iron or scrap blooms, 416, valued at \$14,523; of purchased muck bar, 908, valued at \$45,543; bushels of charcoal used, 65,139, valued at \$5957; of anthracite coal, 4829, valued at \$18,195; of bituminous coal, 35,058, valued at \$116,530. The value of all other materials was \$22,855, making the total value of all materials, \$1,214,050. The products were 15,650 tons of bar iron, valued at \$939,000; 2200 tons of structural iron, valued at \$143,000; 1987 tons of skelp iron, valued at \$140,050; 5243 tons of sheet iron, valued at \$481,924; 1241 tons of boiler-plate iron, valued at \$111,690; 2482 tons of all other plate iron, except nail plate, valued at \$186,130; 1900 tons of all other rolled iron, valued at \$118,650; 3215 tons of all other finished products, such as horse-shoes, railroad spikes, wire, etc., valued at \$225,800. The total number of tons of all products was 33,918, of a value of \$2,347,177. This industry is located in New Castle County.

MANUFACTURES BY COUNTIES.

| | No. of
Establishments | Capital. | Hands
Em-
ployed | Wages. | Materials. | Products. |
|-----------------|--------------------------|------------|------------------------|-----------|------------|------------|
| State..... | 746 | \$45650822 | 12636 | \$4267349 | \$12828461 | \$20511328 |
| Counties— | | | | | | |
| Kent..... | 204 | 982839 | 1711 | 257352 | 1171913 | 1731662 |
| New Castle..... | 399 | 14144683 | 10047 | 3862301 | 11097635 | 17804008 |
| Sumner..... | 143 | 5283600 | 880 | 147496 | 558883 | 937798 |

The State's show in the specified industries enumerated in the census of 1880 was as follows:

PAPER BAGS.—Delaware had one establishment with a capital of \$500, employing 4 hands over sixteen years of age, with annual wages of \$600, and value of material \$800, and value of products \$1800.

BASKETS.—There were eight of these establishments in the State, with \$60,725 of capital, employing 106 males over sixteen years, 29 females over fifteen years, 18 youths and children, paying in wages annually \$26,950, and for material \$42,700, and receiving for products \$110,725.

BELTING AND HOSE LEATHER.—In the State there was one establishment with \$30,000 capital, employing 10 males of over 16 years, paying for wages \$3500, for materials \$38,000, and receiving for products \$44,576.

BLACKSMITHING.—In the State there were 67 establishments with an aggregate capital of \$91,590, employing 157 males over 16 years, and 3 children and youths, paying in annual wages \$53,105, for material \$49,600, and receiving for products \$148,663.

BOOK-BINDING AND BLANK-BOOK MAKING.—In the State there were 2 establishments with \$4000 capital, employing 4 males over 16 years, 3 females over 15 years, paying \$2050 wages, for material \$3800 and receiving for products \$7000.

BOOT AND SHOE UPPERS.—In the State there was 1 establishment with a capital of \$6000, employ-

ing 3 males over 16 years, and 2 females over 15 years, paying for wages \$2000, and for material \$10,000 and receiving for products \$18,000.

BOOTS AND SHOES, INCLUDING CUSTOM WORK AND REPAIRING.—In the State there were 23 establishments with \$29,950 capital, employing 41 males over 16 years, and 2 females over 15 years, paying in wages \$13,870, and for materials \$15,210 and receiving for products \$45,714.

BREAD AND BAKERY PRODUCTS.—In the State there were 20 establishments with \$128,000 capital, employing 54 males over 16 years, 12 females over 15 years, and 15 children and youths, paying for wages \$27,220, and for materials \$108,280 and receiving for products \$175,565.

BROOMS AND BRUSHES.—In the State there were 2 establishments with \$1800 capital, employing 5 males over 16 years, paying in wages \$1450, and for materials \$2675 and receiving for products \$4500.

CARPENTERING.—In the State there were 34 establishments, with \$54,200 capital, employing 179 males over 16 years, paying \$61,322 in wages, and for materials \$180,280, and receiving for products \$313,255.

CARRIAGE AND WAGON MATERIALS.—In the State there were 10 establishments with \$130,500 capital, employing 114 males over 16 years and 8 children and youths, paying for wages \$50,250, for materials \$65,500, and receiving for products \$161,000.

CARRIAGES AND WAGONS.—In the State there were 15 establishments with \$452,270 capital, employing 397 males over 16 years, 1 female over 15 years, and 12 children and youths, paying in wages \$137,256, for materials \$272,098 and receiving for products \$500,567.

CAR, RAILROAD, STREET AND REPAIRS.—In the State there were 2 establishments, with \$559,100 capital, employing 760 males over 16 years, and 100 children and youths, paying in wages \$319,915, and for material \$775,900, and receiving for products \$1,185,688.

CLOTHING (MEN'S).—In the State there were 10 establishments, with \$77,150 capital, employing 56 males over 16 years, 43 females over 15 years and 1 child and youth, paying in wages \$27,549, for materials \$51,900 and receiving for products \$97,900.

COFFEE AND SPICES ROASTED AND GROUND.—In the State there was 1 establishment, with \$3000 capital, employing 1 youth, paying in wages \$500, for material \$5000 and receiving for products \$7000.

COFFINS, BURIAL CASES AND UNDERTAKERS' GOODS.—In the State there were 10 establishments, with \$22,600 capital, employing 15 males over 16 years, paying in wages \$6850, and for materials \$13,050 and receiving for products \$29,500.

CONFECTIONERY.—In the State there were 3 establishments, with \$49,000 capital, employing 16 males over 16 years, 2 females over 15 years, paying in wages \$5600, and for material \$18,000 and received for products \$35,000.

COOPERAGE.—In the State there were 2 establishments, with \$19,000 capital, employing 8 males over 16 years, and paying in wages \$2500, for material \$6500 and receiving for products \$12,000.

COPPERSMITHING.—In the State there was 1 establishment, with \$8000 capital, employing 7 males over 16 years, and paying in wages \$2000, for material \$9000 and receiving for products \$14,800.

DENTISTS' MATERIALS.—In the State there was 1 establishment, with \$20,000 capital, employing 9 males, and paying in wages \$5000, for materials \$10,000 and receiving for products \$18,000.

DYE STUFFS AND EXTRACTS.—There were in the State two establishments with \$17,000 capital, employing 19 males over sixteen years, and paying \$4000 in wages, and \$7000 for material, receiving for products \$15,400.

FERTILIZERS.—In the State there were 17 establishments with \$753,000 capital, employing 270 males over sixteen years, and paying in wages \$91,558, and for material \$442,316, and receiving for products \$657,250.

FOUNDRY AND MACHINE-SHOP PRODUCTS.—In the State there were 17 establishments with \$788,100 capital, employing 752 males over sixteen years, and 44 children and youths, paying in wages \$266,618, for material \$330,732 and receiving for products \$704,225.

FRUITS AND VEGETABLES, CANNED AND PRESERVED.—In the State there were 33 establishments, with \$396,379 capital, employing 428 males over sixteen years, 643 females over fifteen years, and 188 children and youths, paying in wages \$99,621, for material \$453,503, and receiving for products \$634,940.

FURNITURE.—In the State there were six establishments with \$43,500 capital, employing 25 males over sixteen years, two females over fifteen years, and one child and youth, paying in wages \$10,000, for material \$39,005, receiving for products \$113,375.

GREASE AND TALLOW.—In the State there was one establishment with \$15,000 capital, employing 4 males over sixteen years, paying in wages \$3000, and for material \$98,000, and receiving for products \$124,000.

GUNPOWDER.—In the State there was one establishment with \$1,000,000 capital, employing 248 males, paying in wages \$115,778, for material \$127,585, and receiving for products, \$243,365.

IRON BOLTS, NUTS, WASHERS AND RIVETS.—In the State there was one establishment with \$10,000 capital, employing 20 males over sixteen years, paying in wages \$6550, and for material \$28,044, and receiving for products, \$37,100.

IRON FORGINGS.—In the State there were 3 establishments, with \$51,000 capital, employing 155 males, paying in wages \$73,130, and for material \$424,337, and receiving for products \$585,581.

IRON PIPE, WROUGHT.—In the State there was one establishment, employing 618 males over 16 years, paying in wages \$245,278, for material, \$1,491,476, and securing for products \$2,000,000.

KINDLING WOOD.—In the State there were 4 establishments, with \$6800 capital, employing 15 males over 16 years, and paying in wages \$3975, and for material \$4150—receiving for products \$12,500.

LEATHER, DRESSED SKINS.—In the State there were 16 establishments, with \$926,500 capital, employing 848 males over 16 years, 61 females over 15 years, and 73 children and youths, paying in wages \$388,064, and for material \$1,350,860, and receiving for products \$1,886,597.

LIQUORS (DISTILLED).—In the State there was one establishment, with \$800 capital, employing 1 male over 16 years, paying in wages \$75, for material \$415, and receiving for products \$700.

LIQUORS (MALT).—In the State there were 2 establishments, with \$95,000 capital, employing 15 males over 16 years, paying in wages \$7370, for material \$38,959, and receiving for products \$66,998.

LOOKING-GLASS AND PICTURE FRAMES.—In the State there were three establishments, with \$1900 capital, employing 2 males over 16 years and 1 child and youth, paying in wages \$1850, for materials \$2400, and receiving for products \$6500.

LUMBER (PLANED).—In the State there were 7 establishments, with \$51,800 capital, employing 54 males over 16 years and 7 children and youths, paying in wages \$12,600, for material \$63,650, and receiving for products \$90,600.

MARBLE AND STONE WORK.—In the State there were 4 establishments, with \$28,500 capital, employing 34 males over 16 years, and paying in wages \$8700, for material \$10,700, and receiving for products \$23,900.

MASONRY, BRICK AND STONE WORK.—In the State there were 10 establishments, with \$21,370 capital, employing 78 males over 16 years, and 2 children and youths, paying in wages \$22,975, and for material \$104,296, receiving for products \$172,590.

MATCHES.—In the State there was 1 establishment, with \$250,000 capital, employing 200 males over 16 years, and paying in wages \$44,000, for material \$446,727, and receiving for products \$550,000.

MINERAL AND SODA WATERS.—In the State there was one establishment, with \$5000 capital, employing 8 males over 16 years, and paying in wages \$2500, for material \$1000, and receiving for products \$6000.

MUSICAL INSTRUMENTS, ORGANS AND MATERIALS.—In the State there was one establishment, with \$2500 capital, employing 2 males over 16 years, and paying in wages \$200, for material \$200, and receiving for products \$1000.

PAINTING AND PAPER-HANGING.—In the State there were 6 establishments with \$3825 capital, employing 17 males over 16 years, and paying in wages \$4362, for materials \$8275, and receiving for products \$16,648.

PAINTS.—In the State there was 1 establishment with \$60,000 capital, employing 10 males over 16 years, and 1 youth, paying in wages \$5200, for material \$20,000, and receiving for products \$30,000.

PRINTING AND PUBLISHING.—In the State there were two establishments, with \$18,000 capital, employing 12 males over 16 years, and 1 minor, paying in wages \$5580, for material \$6500, and receiving for products \$14,500.

PUMPS (not steam).—In the State there was 1 establishment, with \$5000 capital, employing 4 males over 16 years, and paying in wages \$2100, for material \$3000, and receiving for products \$8000.

ROOFING AND ROOFING MATERIALS.—In the State there were 3 establishments, with \$10,500 capital, employing 16 males over 16 years of age, and paying in wages \$8344, for material \$11,500, and receiving for products \$29,500.

RUBBER AND ELASTIC GOODS.—In the State there was 1 establishment, with \$150,000 capital, employing 15 males over 16 years and 3 children and youths, paying in wages \$5000, for material \$40,000, and receiving for products \$66,662.

SADDLERY AND HARNESS.—In the State there were 17 establishments, with \$30,500 capital, employing 34 males over 16 years, paying in wages \$14,570, for material \$34,400, and receiving for products \$68,700.

SAWS.—In the State there was one establishment, with \$60,000 capital, employing 5 males over 16 years, and 15 children and youths, paying in wages \$6000, for material \$10,000, and receiving for products \$23,000.

SHIRTS.—In the State there was 1 establishment, with \$2000 capital, employing 2 males over 16 years, 5 females over 15 years, and 1 minor, paying in wages \$1800, for material \$6000, and receiving for products \$12,000.

SOAP AND CANDLES.—In the State there were 3 establishments, with \$14,800 capital, employing 12 males over 16 years and 1 youth, paying in wages \$5180, for material \$13,400, and receiving for products \$22,070.

SPORTING GOODS.—In the State there was 1 establishment with \$10,000 capital, employing 21 males over 16 years, 2 females over 15 years, and two children and youths, paying in wages \$5000, for material \$15,000, and receiving for products \$25,000.

SPRINGS, STEEL, CAR AND CARRIAGE.—In the State there were 2 establishments, with \$15,000 capital, employing 36 males over 16 years, and 2 children and youths, paying in wages \$11,600, for material \$45,000, and receiving for products \$65,500.

STONE AND EARTHENWARE.—In the State there were three establishments with \$12,000 capital, employing six males over sixteen years, and one youth, paying in wages \$1100, for material \$2350, receiving for products \$8500.

TINWARE, COPPERWARE AND SHEET-IRONWARE.—In the State there were 21 establishments, with \$134,600 capital, employing 71 males over sixteen years, and 29 children and youths, paying in wages \$34,658, for material \$95,463, and receiving for products, \$180,152.

TOBACCO, CIGARS AND CIGARETTES.—In the State there were 23 establishments with \$32,300 capital, employing 50 males over sixteen years, 13 females over fifteen years, and 14 children and youths, paying in wages \$31,628, for material \$45,692, and receiving for products, \$118,318.

TOOLS.—In the State there was one establishment with \$160,000 capital, employing 100 males over sixteen years, paying in wages \$52,000, for material \$65,000, and receiving for products, \$130,000.

UPHOLSTERING.—In the State there was one establishment with \$300 capital, employing 1 female over fifteen years, paying in wages \$150, for material \$300, and receiving for products, \$1500.

UPHOLSTERING MATERIALS.—In the State there were two establishments with \$5000 capital, employing 11 males over sixteen years, paying in wages \$1050, for material \$2800, and receiving for products \$5000.

WATCH AND CLOCK REPAIRING.—In the State there was one establishment with \$400 capital, paying for material \$100, and receiving for products, \$600.

WHEELWRIGHTING.—In the State there were 49 establishments with \$70,300 capital, employing 127 males over sixteen years, and 6 children and youths, paying in wages \$44,346, for material \$37,750, and receiving for products, \$114,350.

WOOD, TURNED AND CARVED.—In the State there was one establishment with \$800 capital, employing 5 males over sixteen years, paying in wages \$1500, for material \$750, and receiving for products \$4000.

WOODEN-WARE.—In the State there was one establishment with \$300 capital, employing 1 male over sixteen years, paying in wages \$375, for material \$500, and receiving for products \$1500.

MANUFACTURES OF KENT COUNTY.

| INDUSTRIES | No. of Establishments. | Capital. | Hands Employed. | Amount Paid in Wages. | Amount Paid for Materials. | Value of Products. |
|---|------------------------|----------|-----------------|-----------------------|----------------------------|--------------------|
| Agricultural implements..... | 4 | \$22700 | 25 | \$10700 | \$10100 | \$28830 |
| Baskets, rattan and willow.... | 4 | 10225 | 56 | 6050 | 15800 | 31925 |
| Fertilizers | 10 | 89700 | 96 | 22777 | 170000 | 234950 |
| Flouring and grist-mills..... | 26 | 177250 | 49 | 9920 | 256210 | 280828 |
| Foundry and machine-shops... | 1 | 20000 | 10 | 4000 | 4000 | 24000 |
| Fruits and vegetables, canned, etc..... | 20 | 352579 | 940 | 83021 | 401663 | 536040 |
| Lumber, sawed..... | 18 | 73200 | 131 | 12402 | 68055 | 114400 |
| Mixed textiles..... | 1 | 8000 | 32 | 10000 | 20000 | 44000 |
| Woolen goods..... | 1 | 8000 | 32 | 10000 | 20,00 | 44000 |

MANUFACTURES OF NEW CASTLE COUNTY.

| | | | | | | |
|---------------------------------|----|---------|-----|--------|--------|---------|
| Agricultural implements..... | 7 | \$43500 | 40 | \$9774 | \$9305 | \$28571 |
| Belting and hose, leather..... | 1 | 30000 | 10 | 3500 | 38000 | 44576 |
| Bread and other bakery..... | 15 | 40000 | 72 | 25330 | 97855 | 159000 |
| Brick and tile..... | 6 | 94000 | 257 | 47816 | 28373 | 101400 |
| Carrriage and wagon material. | 8 | 121000 | 109 | 46250 | 55700 | 140030 |
| Carriages and wagons..... | 13 | 418270 | 294 | 130556 | 265098 | 485067 |
| Cars, railroad and street..... | 2 | 589100 | 800 | 319815 | 775900 | 1185688 |
| Coffins, burial cases, etc..... | 7 | 19000 | 10 | 5250 | 10750 | 24600 |
| Clothing, men's..... | 6 | 70500 | 83 | 25100 | 44000 | 86600 |
| Confectionery..... | 3 | 49000 | 18 | 5600 | 18000 | 35000 |
| Cotton goods..... | 10 | 929570 | 944 | 232727 | 632205 | 1067257 |

| INDUSTRIES. | No. of Establishments. | Capital. | Hands Employed. | Amount Paid in Wages. | Amount Paid for Materials. | Value of Products. |
|---|------------------------|----------|-----------------|-----------------------|----------------------------|--------------------|
| Fertilizers..... | 4 | \$27,000 | 119 | \$5550 | \$29,000 | \$28,000 |
| Flouring and grist-mills..... | 35 | 51,800 | 133 | \$5797 | \$88,418 | \$88,788 |
| Foundry and machine-shops..... | 14 | 70,000 | 787 | \$21,868 | \$25,572 | \$77,225 |
| Fruits and vegetables, canned, etc..... | 1 | 18,000 | 77 | \$3000 | 10,000 | 20,000 |
| Furniture..... | 4 | 18,200 | 25 | \$5000 | 8700 | 12,800 |
| Grease and tallow..... | 1 | 15,000 | 4 | \$600 | 28,000 | 12,000 |
| Gunpowder..... | 1 | 100,000 | 250 | \$17,788 | 12,800 | 24,705 |
| Iron and steel..... | 9 | 143,000 | 867 | \$34,476 | 124,000 | \$347,177 |
| Iron bolts, nuts, screws, etc..... | 1 | 10,000 | 22 | \$500 | 2800 | 3710 |
| Iron fittings..... | 3 | 10,000 | 51 | \$15,000 | 6700 | 8782 |
| Iron pipe, wrought..... | 1 | 925,000 | 618 | \$15,278 | 149,476 | 200,000 |
| Iron and pipe goods..... | 1 | 25,000 | 46 | \$748 | 1110 | 4642 |
| Leather, curried..... | 1 | 12,000 | 9 | \$381 | 7000 | 5780 |
| Leather, dressed skins..... | 1 | 92,000 | 982 | \$8800 | 1,500,000 | 188,000 |
| Liquors, malt..... | 2 | 50,000 | 15 | \$750 | 3800 | 6000 |
| Lumber, planed..... | 2 | 30,000 | 29 | \$7000 | 10,000 | 6500 |
| Lumber, sawed..... | 2 | 12,000 | 22 | \$1600 | 11700 | 25800 |
| Marble and stone work..... | 3 | 27,000 | 25 | \$8400 | 10,000 | 22400 |
| Matches..... | 1 | 20,000 | 20 | \$4000 | 44,000 | 50,000 |
| Mats and matting..... | 1 | 5000 | 3 | \$600 | 1700 | 2000 |
| Paints..... | 1 | 6000 | 11 | \$200 | 2000 | 2000 |
| Paper..... | 4 | 250,000 | 252 | \$12,000 | 58,254 | 737,005 |
| Roofing and roofing materials..... | 3 | 10,000 | 16 | \$444 | 11,500 | 20,000 |
| Rubber, vulcanized..... | 1 | 15,000 | 18 | \$500 | 1700 | 6000 |
| Saddlery and harness..... | 11 | 217,000 | 33 | \$1300 | 20,000 | 60,000 |
| Saws..... | 1 | 60,000 | 20 | \$600 | 10,000 | 2,000 |
| Shipbuilding..... | 8 | 905,000 | 1174 | \$70,248 | 8,000,000 | 197,423 |
| Slaughtering & meat packing..... | 2 | 10,000 | 26 | \$1200 | 1700 | 19,000 |
| Soap and candles..... | 3 | 14,000 | 15 | \$180 | 1400 | 2070 |
| Sporting goods..... | 1 | 10,000 | 17 | \$500 | 1500 | 2000 |
| Springs, steel, car and carriage..... | 2 | 15,000 | 38 | \$1600 | 4500 | 6500 |
| Tinware, copperware, etc..... | 15 | 11,000 | 71 | \$1608 | 8900 | 16,527 |
| Tobacco, cigars and cigarettes..... | 21 | 12,000 | 77 | \$2420 | 34,810 | 78,153 |
| Tools..... | 1 | 10,000 | 100 | \$2000 | 6500 | 15,000 |
| Woolen goods..... | 3 | 342,550 | 229 | \$8504 | 428,085 | 617,253 |

MANUFACTURES OF SUSSEX COUNTY.

| | | | | | | |
|---|----|---------|-----|---------|---------|---------|
| Baskets, rattan and willow..... | 3 | \$5000 | 95 | \$20300 | \$26700 | \$77300 |
| Fertilizers..... | 3 | 130,000 | 55 | \$13281 | 47716 | 128300 |
| Flouring and grist-mills..... | 29 | 66000 | 38 | \$514 | 123045 | 152110 |
| Fruits and vegetables, canned, etc..... | 12 | 25800 | 237 | \$13600 | 41820 | 78900 |
| Lumber, sawed..... | 59 | 106850 | 238 | \$26192 | 159654 | 271365 |
| Shipbuilding..... | 9 | 28700 | 111 | \$6074 | 120607 | 176300 |

DELAWARE CIVIL LIST.— *Governors of Pennsylvania,¹ and New Castle, Kent and Sussex Counties on Delaware before the formation of the State of Delaware:*

DUTCH RULE.

| | | |
|---|-----------|------|
| Cornelius Jacoben May, Director of New Netherlands..... | — | 1624 |
| William Van Hulst, Director of New Netherlands..... | — | 1625 |
| Peter Minuit, Director of New Netherlands..... | May 4, | 1626 |
| David Pieterzen De Vries, Governor on the Delaware..... | Dec. 5, | 1632 |
| Wouter Van Twiller, Director of New Netherlands..... | April 14, | 1633 |
| Sir William Kieft, Director of New Netherlands..... | March 28, | 1638 |

SWEDISH RULE.

| | | |
|---|----------|------|
| Peter Minuit, Governor of New Sweden..... | April —, | 1639 |
| Peter Hollandaer, Governor of New Sweden..... | — | 1641 |
| John Printz, Governor of New Sweden..... | Feb. 15, | 1643 |

DUTCH RULE.

| | | |
|--|---------|------|
| Peter Stuyvesant, Director of New Netherlands..... | May 27, | 1647 |
|--|---------|------|

SWEDISH RULE.

| | | |
|--|---------|------|
| John Pappegoya, Governor of New Sweden..... | Oct. —, | 1653 |
| John Claude Rysing, Vice-Director of New Sweden..... | May —, | 1654 |

DUTCH RULE.

| | | |
|--|----------|------|
| Peter Stuyvesant, Director of New Netherlands..... | — | 1655 |
| Direk Smidt, Schout Fiscal and Commissary on the Delaware..... | — | 1656 |
| John Paul Jaquet, Director on the Delaware..... | — | 1655 |
| Andreas Hudde, Commissary on the Delaware..... | — | 1655 |
| Jacob Alricha, Director of the City Colony..... | April —, | 1657 |
| Gregorius Van Dyck, Director of the Company's Colony..... | May 20, | 1657 |

¹ From John Hill Martin's "Bench and Bar of Philadelphia."

William Beekman, Vice-Director of Company's Colony.....Oct. 28, 1658
Alexander D'Hinoyoma, Director of the City Colony.....Dec. 30, 1659

ENGLISH RULE.

| | | |
|---|----------|------|
| Colonel Richard Nichols, Governor at New York..... | Sept. 8, | 1664 |
| Robert Needham, Commander on the Delaware..... | Sept. 8, | 1664 |
| Colonel Francis Lovelace, Governor at New York..... | May —, | 1667 |
| Captain John Carr, Commander on Delaware..... | — | 1668 |

DUTCH RULE.

| | | |
|--|----------|------|
| Anthony Colve, Governor of New Netherlands..... | Aug. 13, | 1673 |
| Peter Alricha, Deputy Governor on the west side of the Delaware..... | Sept. —, | 1673 |

ENGLISH RULE.

| | | |
|--|-----------|------|
| Sir Edmond Andros, Governor at New York..... | Nov. 10, | 1674 |
| Captain Edmund Cantwell, Commander on Delaware..... | Nov. 10, | 1674 |
| Captain John Collier, Commander on Delaware..... | Sept. 23, | 1676 |
| Captain Christopher Billop, Commander on Delaware..... | Aug. 24, | 1677 |
| Captain Anthony Brockholst, ² Governor..... | Jan. 16, | 1681 |

PROPRIETARY GOVERNMENT.

| | | |
|--|------------|------|
| William Penn, Proprietor..... | March 4, | 1681 |
| William Markham, Deputy Governor..... | April 29, | 1681 |
| William Penn, Proprietor and Governor..... | Oct. 21, | 1682 |
| Thomas Lloyd, President of Council..... | 18 6 mo., | 1684 |
| William Clayton, ² President of Council..... | 24 8 mo., | 1684 |
| Thomas Holme, ³ President of Council..... | 30 1 mo., | 1685 |
| William Clarke, ² President of Council..... | 9 2 mo., | 1685 |
| Arthur Cooke, ² President of Council..... | 5 5 mo., | 1686 |
| John Smecock, ² President of Council in the morning..... | 3 7 mo., | 1686 |
| Francis Harrison, ² President of Council in the afternoon..... | 3 7 mo., | 1686 |
| Arthur Cooke, ² President of Council..... | 1 8 mo., | 1686 |
| John Smecock, ² President of Council..... | 16 9 mo., | 1686 |
| William Clarke, ² President of Council..... | 19 2 mo., | 1687 |
| Thomas Lloyd, ² Commissioner..... | 19 12 mo., | 1687 |
| Robert Turner, ² Commissioner..... | 19 12 mo., | 1687 |
| Arthur Cooke, ² Commissioner..... | 19 12 mo., | 1687 |
| John Smecock, ² Commissioner..... | 19 12 mo., | 1687 |
| John Eckley, ⁴ Commissioner..... | 19 12 mo., | 1687 |
| Captain John Blackwell, Lieutenant-Governor..... | Dec. 18, | 1688 |
| Thomas Lloyd, President of the Council..... | 2 11 mo., | 1688 |
| Thomas Lloyd, Deputy Governor of the Province..... | March —, | 1691 |
| Wm. Markham, Deputy Governor of the Lower Counties..... | March —, | 1691 |
| Benjamin Fletcher, Governor for the Crown..... | April 26, | 1693 |
| William Markham, Lieutenant-Governor for the Crown..... | April 27, | 1693 |
| William Markham, Governor for William Penn..... | 21 9 mo., | 1694 |
| Dr. John Goodson, ⁴ Deputy Governor, or Assistant to William Markham..... | 24 9 mo., | 1694 |
| Samuel Carpenter, ⁵ Deputy Governor, or Assistant to William Markham..... | 24 9 mo., | 1694 |
| William Markham, Lieutenant-Governor for Penn..... | May 19, | 1698 |
| William Penn, Proprietor and Governor..... | 21 10 mo., | 1699 |
| Andrew Hamilton, Lieutenant-Governor..... | Nov. 14, | 1701 |
| Edward Shippen, President of Council..... | 19 12 mo., | 1702 |
| John Evans, Lieutenant-Governor..... | Feb. 14, | 1702 |
| Colonel Charles Gookin, Lieutenant Governor..... | Feb. 2, | 1704 |
| William Keith, ⁶ Lieutenant-Governor..... | May 31, | 1717 |
| Hannah Penn, Executrix for Proprietaries..... | July 31, | 1710 |
| Sir William Keith, ⁷ Governor..... | April 28, | 1719 |
| Patrick Gordon, ⁸ Lieutenant Governor..... | June 22, | 1726 |
| John, Thomas and Richard Penn, Proprietaries..... | 1727 to | 1746 |
| James Logan, President of Council..... | Aug. 8, | 1736 |
| Thomas Penn, Proprietary..... | Sept. 28, | 1736 |
| George Thomas, Lieutenant-Governor..... | June 1, | 1738 |
| Thomas and Richard Penn, Proprietaries..... | 1746 to | 1771 |
| Anthony Palmer, President of Council..... | June 6, | 1747 |
| James Hamilton, Lieutenant-Governor..... | Nov. 23, | 1748 |
| Robert Hunter Morris, Lieutenant-Governor..... | Oct. 15, | 1754 |
| William Denny, Lieutenant Governor..... | Aug. 27, | 1756 |
| James Hamilton, Lieutenant-Governor..... | Nov. 18, | 1759 |
| John Penn, Lieutenant-Governor..... | Nov. 1, | 1763 |

² Governor until June 26, 1681, when the colonial government ceased by virtue of the charter to William Penn of March 4, 1681, who then became the proprietor. Penn's Council first met at Upland, i. e. Chester, on August 3, 1681.

³ The members of Council were authorized by the Governor to choose one of themselves President in the absence of Thomas Lloyd (1 C. R., 124), and they were Governors for the time being, and as such signed commissions and performed all the duties of that office. Thomas Holme died 10th 7 mo., 1694, aged forty-five years.

⁴ Commissioners, any three to act as Deputy Governor; 1 C. R., 166.

⁵ Deputy Governors, or assistants to Markham; 1 C. R., 417.

⁶ His commission bears date November 29, 1716, but the date given by me are those when the Lieutenant-Governors were inducted into office.

⁷ Called Lieutenant-General, Governor and Commander-in-Chief, etc.; 3 C. R., p. 55. Not Sir William until 1721, when he succeeded to the baronetcy.

⁸ Lieutenant-Governor, with the assent of Hannah Penn; 3 C. R., 226.

James Hamilton, President of Council.....May 6, 1771
 Thomas and John Penn, Proprietaries.....1771 to 1775
 Richard Penn, Lieutenant-Governor.....Oct. 16, 1771
 John Penn, Governor.....Aug. 30, 1773

Delegates to Stamp Act Congress in 1765.

Thomas McKean. Caesar Rodney.

Signers of the Declaration of Independence.

Cesar Rodney. George Read. Thomas McKean.

Delegates to the Continental Congress from 1774 to 1788.

Thomas McKean.....1774-76, and from 1778 to 1783
 George Read.....1774-77; re-elected in 1779, but declined to serve
 Caesar Rodney.....1774-78, and from 1783 to 1784
 John Dickinson.....1776-77, and from 1779 to 1780
 John Evans.....1779-77
 Nicholas Van Dyke.....1777-82
 James Sykes.....1777-78
 Thomas Rodney.....1781-83, and from 1785 to 1788
 Philemon Dickinson.....1782-83
 Samuel Wharton.....1782-83
 James Tilton.....1783-85
 Eleazer McComb.....1782-84
 Gunning Bedford, Jr.....1784-86
 John Vining.....1784-86
 John McKinly.....1784-85
 Henry Latimer.....1784-85
 Samuel Patterson.....1784-85
 John Patten.....1785-86
 William Peery.....1785-86
 Nathaniel Mitchell.....1786-88
 Gunning Bedford.....1786-87
 Dyre Kearney.....1787-88

Presidents of Continental Congress.

Thomas McKean, elected July 10, 1781.

Signers of the Articles of Confederation.

Thomas McKean. John Dickinson. Nicholas Van Dyke.

Signers of the Constitution of the United States.

George Read. Jacob Broom. John Dickinson.
 Gunning Bedford, Jr. Richard Bassett.

Presidential Electors.

1788.—Gunning Bedford, John Baring and George Mitchell.
 1792.—James Sykes, William Hill Wells and Gunning Bedford.
 1796.—Thomas Robinson, Richard Bassett and Isaac Cooper.
 November 5, 1800.—Kensley Johns, Samuel White and Nathaniel Mitchell.
 November 13, 1804.—Maxwell Bines, George Kennard and Thomas Fisher.
 November 15, 1808.—James Booth, Nicholas Ridgely and Daniel Rodney.
 November 10, 1812.—James L. Clayton, Benjamin Blackiston, Dr. James Sykes and General Thomas Fisher.
 November 12, 1816.—General Thomas Robinson, Nicholas Ridgely, Andrew Barratt and Isaac Tunnell.
 November 14, 1820.—Peter Robinson, John Clark and Andrew Barratt.
 November 9, 1824.—Nicholas Ridgely, John Caldwell, Joseph G. Rowland, and Isaac Tunnell.
 November 10, 1828.—David Hazard, Dr. John Adams and James Canby.
 November 13, 1832.—Cornelius P. Comegys, George Truitt and Henry F. Hall.
 November, 1836.—Dr. William W. Morris, Dr. Henry F. Hall and William Dunning.
 November, 1840.—Benjamin Caulk, Peter F. Causey and Dr. Henry F. Hall.
 November, 1844.—Alfred Du Pont, Enoch Spruance and Thomas Davis.
 November, 1848.—Philip Raybold, Samuel Catts and Gardiner H. Wright.
 November, 1852.—J. Merritt, William J. Clark and Henry Bacon.
 November, 1856.—George C. Gordon, Dr. Henry Ridgely and Charles Weigat.
 November, 1860.—Samuel Jefferson, John Mustard and Robert B. Houston.
 November, 1864.—Victor Du Pont, Ayers Stockley and Harbeson Hickman.
 November, 1868.—Andrew C. Gray, James P. Wilds and William A. Scribner.
 1872.—Benjamin S. Booth, William T. Collins and David W. Moors.
 1876.—John H. Rodney, John W. Sharp and George W. Willin.
 1880.—Charles B. Lore, Albert Whitely and George Russell.
 1884.—Peter N. Brennan, Nathan Pratt and John T. Moore.

United States Senators.

March 4, 1789.—George Read.
 March 4, 1789.—Richard Bassett.
 March 4, 1791.—George Read, resigned September 18, 1793.¹
 March 19, 1794.—Kensley Johns, appointed by Governor in place of George Read.
 February 7, 1795.—Henry Latimer, elected by Legislature to succeed Johns.
 March 4, 1793.—John Vining.
 March 4, 1797.—Henry Latimer.
 February 28, 1801.—Samuel White, appointed by Governor in place of Latimer, resigned.
 January 14, 1802.—Samuel White, elected to succeed himself.
 January 19, 1798.—Joshua Clayton, elected to succeed Vining, resigned.
 March 17, 1799.—William Hill Wells, elected to succeed J. Clayton, deceased.
 November 13, 1804.—James A. Bayard, elected to succeed William H. Wells, resigned.
 March 4, 1803.—Samuel White.
 March 4, 1809.—Samuel White.
 March 4, 1805.—James A. Bayard.
 March 4, 1811.—James A. Bayard.
 May 28, 1813.—William H. Wells, elected to succeed J. A. Bayard, resigned.
 January 12, 1810.—Outerbridge Horsey, elected to succeed S. White, deceased.
 March 4, 1815.—Outerbridge Horsey.
 January 12, 1822.—Cesar A. Rodney.
 January 8, 1824.—Thomas Clayton, elected to succeed C. A. Rodney, resigned.
 March 4, 1817.—Nicholas Van Dyke.
 March 4, 1823.—Nicholas Van Dyke.
 November 8, 1826.—Daniel Rodney, appointed in place of N. Van Dyke, deceased.
 January 12, 1827.—Henry M. Ridgely, elected to succeed D. Rodney, appointed.
 March 4, 1827.—Louis McLane.
 January 7, 1830.—Arnold Naudain, in place of L. McLane, resigned.
 March 4, 1830.—Arnold Naudain.
 June 17, 1836.—Richard H. Bayard, elected to succeed A. Naudain, resigned.
 March 4, 1839.—Richard H. Bayard.
 March 4, 1839.—John M. Clayton.
 March 4, 1835.—John M. Clayton.
 January 9, 1837.—Thomas Clayton, elected to succeed J. M. Clayton, resigned.
 March 4, 1841.—Thomas Clayton.
 March 4, 1847.—Presley Spruance.
 March 4, 1845.—John M. Clayton.
 February 23, 1849.—John Wales, elected to succeed John M. Clayton, resigned.
 March 4, 1853.—John M. Clayton.
 November 19, 1856.—Joseph P. Comegys, appointed in place of J. M. Clayton, deceased.
 January 14, 1857.—Martin W. Bates, elected to succeed J. P. Comegys.
 March 4, 1861.—James A. Bayard.
 March 4, 1857.—James A. Bayard.
 March 4, 1863.—James A. Bayard.
 January 29, 1864.—George Read Riddle, elected to succeed J. A. Bayard, resigned.
 March 4, 1859.—Willard Saulsbury.
 March 4, 1865.—Willard Saulsbury.
 March 4, 1871.—Eli Saulsbury.
 April 5, 1867.—James A. Bayard, appointed to succeed G. R. Riddle, deceased.
 January 19, 1869.—James A. Bayard.
 March 4, 1869.—Thomas F. Bayard.
 March 4, 1875.—Thomas F. Bayard.
 March 4, 1881.—Thomas F. Bayard.
 January 18, 1885.—George Gray, elected to succeed Thomas F. Bayard, resigned, to enter the Cabinet of President Cleveland.
 January 17, 1877.—Eli Saulsbury.
 January 16, 1883.—Eli Saulsbury.
 January 29, 1887.—George Gray.

¹ The Legislature of the State, which met in January and February, 1794, failed to make an appointment as successor to George Read, and upon the 19th of March following the Governor of the State appointed Kensley Johns to fill the vacancy. The committee on elections in the Senate submitted the following resolution on the subject: "Resolved, that Kensley Johns, appointed by the Governor of Delaware a Senator of the United States for the said State, is not entitled to a seat in the Senate of the United States, a session of the Legislature having intervened between the resignation of the said George Read and the appointment of the said Kensley Johns." This is the only instance in the history of the State where the attempt has been made by the executive to appoint after the Legislature had been in session.

Representatives in Congress.

1792. John Vining.
 1796. James A. Bayard.
 1803. Cesar A. Rodney.
 1805. James A. Bayard.
 1806. James Brown.
 1808. Nicholas Van Dyke.
 1810. Henry M. Ridgely.
 1812. Thomas Clayton.
 1815. Thomas Cooper.
 1817. Louis McLane.
 1818. Louis McLane.
 1820. Cesar A. Rodney.
 1823. Daniel Rodney.
 1827. Louis McLane.
 1828. James A. Bayard.
 1828. Kensey Johns.
 1830. John J. Milligan.
 1832. John J. Milligan.
 1834. John J. Milligan.
 1836. John J. Milligan.
 1838. Thomas Robinson, Jr.
 1840. George B. Rodney.
 1842. George B. Rodney.

1844. John W. Houston.
 1846. John W. Houston.
 1848. John W. Houston.
 1850. George Read Riddle.
 1852. George Read Riddle.
 1854. Elisha D. Cullen.
 1856. William G. Whitely.
 1860. George P. Fisher.
 1862. William Temple.
 1863. Nathaniel B. Smithers.
 1864. John A. Nicholson.
 1866. John A. Nicholson.
 1868. Benjamin T. Biggs.
 1870. Benjamin T. Biggs.
 1872. James R. Lofland.
 1874. James Williams.
 1876. James Williams.
 1878. Edward L. Martin.
 1880. Edward L. Martin.
 1882. Charles B. Lore.
 1884. Charles B. Lore.
 1886. John B. Pennington.

*Members of the Council of Safety, 1776.***NEW CASTLE COUNTY.**

James Latimer.
 John McKinley.
 Abram Robinson.
 John Lea.
 Nicholas Vandyke.

KENT COUNTY.

Cesar Rodney.
 James Sykes.

Thomas Collins.
 John Baning.
 Richard Bassett.

SUSSEX COUNTY.

David Hall.
 Jacob Moore.
 John Withbank.
 John Rodney.
 James Rench.

Presidents of the Delaware State under the Constitution of September 20, 1776.

John McKinley, inaugurated February 21, 1777. In the year 1777 he was captured by the British forces about the time of the battle of Brandywine; the office of President then devolved on George Read, as Speaker of the Legislative Council, and he soon after was elected to Congress, and Thomas McKean (Speaker of Assembly) exercised the office until January, 1778.

Cesar Rodney, from January, 1778, to January, 1782.

John Dickinson, from January, 1782, to January 13, 1783, when he resigned to accept the presidency of the Supreme Executive Council of Pennsylvania.

(John Cook, president of the Legislative Council from January 13, 1783, to February 8th, following.)

Nicholas Van Dyke, from February 8, 1783, to October 27, 1786.

Thomas Collins, from October 27, 1786, until his death, March 29, 1789.¹

Governors under the Constitution of 1792.

Joshua Clayton, from January 13, 1793, to January 13, 1796.

Gunning Bedford, from January 13, 1796, to his death, September 28, 1797.

(Daniel Rogers, Speaker of the Senate, from thence to January 1799.)

Richard Bassett, from January 9, 1799, to March, 1801, when he resigned and became chief justice of the State.

(James Sykes, Speaker of the Senate, from thence until January, 1802.)

David Hall, from January, 1802, to January, 1806.

Nathaniel Mitchell, from January 15, 1806, to January 11, 1808.

George Truitt, from January 11, 1808, to January 5, 1811.

Joseph Hazlett, from January 5, 1811, to January 10, 1814.

Daniel Rodney, from January 10, 1814, to January 21, 1817.

John Clark, from January 21, 1817, to January 16, 1820.

(Henry Mollenst was elected Governor in November, 1819, but died before January, 1820.)

Jacob Stout, Speaker of the Senate, performed the duties of the office from January, 1820, to January, 1821.

¹ The Hon. John Davis, Speaker of the House, called a session of the General Assembly at Dover, May 28, 1789, and notified them that the President, Thomas Collins, and the Speaker of the Council, George Mitchell, had both died since the last session, and with the advice of the Privy Council he convened the General Assembly to take action in the appointment of a president, which resulted in the choice of Joshua Clayton, who served from May 30, 1789, to January 12, 1793.

John Collins, from January, 1821, to his death, in April, 1822.
 (Caleb Rodney, Speaker of the Senate, from thence to January, 1823.)
 Joseph Hazlett, from January, 1823, to June 26th, in the same year, when he died.
 (Charles Thomas, Speaker of the Senate, from thence until January, 1824.)

Samuel Paynter, from January, 1824, to January 1827.

Charles Polk, from January, 1827, to January, 1830.

David Hazard, from January, 1830, to January, 1833.

Under the Amended Constitution, 1832.

Caleb P. Bennett, from January, 1833, to April 9, 1836, when he died.
 (Charles Polk, Speaker of the Senate, from thence until January, 1837.)

Cornelius P. Comegys, from January, 1837, to January, 1841.

William B. Cooper, from January, 1841, to January, 1845.

Thomas Stockton, from January, 1845, to March 2, 1846, when he died.
 (Joseph Maull, Speaker of the Senate, from thence to May 1st of the same year, when he died.)

(William Temple, Speaker of the House of Representatives, from May 6th to January, 1847.)

William Tharp, from January, 1847, to January, 1851.

William H. Ross, from January, 1851, to January, 1855.

Peter F. Causey, from January, 1855, to January, 1859.

William Burton, from January, 1859, to January, 1863.

William Cannon, from January, 1863, to March 1, 1865, when he died.

(Gove Saulsbury, Speaker of the Senate, from thence to January, 1867.)

Gove Saulsbury, from January, 1867, for the Constitutional term.

James Ponder, from January, 1871, to January, 1875.

John P. Cochran, from January, 1875, to January, 1879.

John W. Hall, from January, 1879, to January, 1883.

Charles C. Stockley, from January, 1883, to January, 1887.

Benjamin T. Biggs, from January, 1887.

Attorney-Generals.

David French July 25, 1726
 William Shaw October 26, 1728
 John Rom April 26, 1739
 Samuel Chew (resigned Aug. term, 1760) January 30, 1760
 John Rom.
 George Read (resigned October 15, 1774) 1764
 Jacob Moore (resigned 1776) 1774
 No appointment 1777
 Gunning Bedford 1778
 Nicholas Ridgely 1790
 Nicholas Van Dyke 1811
 Outerbridge Horney 1806
 Thomas Clayton 1810

Robert Frame Feb. 4, 1830
 Jas. Rogers Feb. 10, 1835
 Edward W. Gilpin Feb. 12, 1840
 Edward W. Gilpin Mar. 7, 1845
 Willard Saulsbury Mar. 27, 1850
 Geo. P. Fisher Mar. 28, 1855
 Alfred R. Wootton Mar. 28, 1860
 Jacob Moore Sept. 2, 1864
 John H. Paynter Sept. 6, 1869
 Charles B. Lore Sept. 27, 1869
 J. B. Pennington Oct. 3, 1874
 George Gray Oct. 3, 1879
 George Gray Oct. 3, 1884
 John H. Paynter Apr. 2, 1885
 John Biggs Apr. 1, 1887

Privy Councilors.

Thos. McDonough 1777
 Geo. Latimer 1777
 Geo. Evans 1777
 Eleazer McComb Feb. 1, 1779
 Jas. Raymond Dec. 28, 1779
 Isaac Griffith Feb. 12, 1781
 Samuel Patterson Feb. 4, 1783
 Jas. Booth Feb. 4, 1783
 John Lea Feb. 4, 1783
 Jas. Sykes Jan. 27, 1786

Maj. Jas. Black May 27, 1785
 Col. Chas. Pope May 27, 1786
 Eleazer McComb June 8, 1787
 Allen McLane Feb. 2, 1788
 Gunning Bedford, Sr. Oct. 23, 1790
 Geo. Wilson Oct. 23, 1790
 Manlove Emerson Oct. 23, 1790
 Nathaniel Mitchell Jan. 21, 1792
 Geo. McCall Jan. 21, 1792

Secretaries of State.

Jas. Booth 1778
 Abraham Ridgely 1799
 Wm. B. Shields Jan. 21, 1802
 John Fisher Feb. 8, 1802
 Wm. Hazard Jan. 16, 1805
 Peier Robinson Jan. 25, 1805
 Wm. Warner 1808
 Thos. Clayton 1808
 John Barratt Oct. 3, 1810
 John Fisher Jan. 15, 1811
 Willard Hall May 7, 1812
 Peter Robinson Jan. 18, 1814
 Henry M. Ridgely Jan. 22, 1817
 Henry M. Ridgely Jan. 15, 1820
 Willard Hall Jan. 16, 1821
 Peter Robinson Apr. 23, 1822
 Henry N. Wells Jan. 22, 1823
 Henry N. Wells June 24, 1823

Henry M. Ridgely Jan. 20, 1824
 John M. Clayton Dec. 21, 1826
 John M. Clayton Jan. 10, 1827
 Sam. M. Harrington Oct. 13, 1828
 Sam. M. Harrington Jan. 19, 1830
 Caleb S. Layton Oct. 30, 1830
 Jas. Rogers Jan. 16, 1833
 W. Hemphill Jones Feb. 10, 1835
 Caleb S. Layton May 12, 1836
 John Brinkloe June 2, 1836
 Robert Frame July 5, 1836
 Chas. Marim Jan. 18, 1837
 John W. Houston Jan. 19, 1841
 John Wales Jan. 21, 1845
 Geo. P. Fisher Mar. 5, 1846
 Daniel M. Bates Jan. 19, 1847
 Alfred R. Robinson Jan. 21, 1851
 Jas. B. Lofland Jan. 26, 1855

Edward Ridgely.....Jan. 18, 1859
Nath. B. Smithers.....Jan. 20, 1863
Saml. M. Harrington.....Nov. 23, 1863
Curtis W. Wright.....Mar. 7, 1865
Curtis W. Wright.....Mar. 15, 1867

John H. Paynter.....Jan. 17, 1871
Ignatius C. Grubb.....Jan. 19, 1875
Jas. L. Wolcott.....Jan. 21, 1879
Wm. P. Causey.....Jan. 16, 1883
John P. Sankbury.....Jan. 18, 1887

Auditors of Accounts.¹

Eleazer McComb.....Feb. 3, 1787
Eleazer McComb.....May 5, 1792
Thos. Montgomery.....June 15, 1793
Peter Calverly.....Feb. 7, 1807
Peter Calverly.....May 23, 1812
Jos. B. Harris.....Feb. 2, 1816
Jos. B. Harris.....Feb. 10, 1819
John M. Clayton.....Jan. 8, 1820
Ebenezer Blackston.....Jan. 15, 1824
Spencer Williams.....Feb. 6, 1825
Spencer Williams.....Feb. 6, 1829
Jacob Biddle.....Feb. 2, 1832
Geo. S. Adkins.....Jan. 5, 1835
Geo. S. Adkins.....Jan. 10, 1837
Jos. L. Harper.....Feb. 14, 1839
Simon Spearman.....Jan. 21, 1841
Simon Spearman.....Jan. 12, 1843
Abraham Staats.....Feb. 11, 1845

Hiram W. McColley.....Jan., 1849
Luther Swiggert.....Jan., 1851
Geo. B. Dickson.....Nov. 18, 1854
Wm. T. Alricha.....Nov. 16, 1855
Aaron B. Marvel.....Nov. 29, 1857
Aaron B. Marvel.....Nov. 27, 1859
Wm. M. Hamilton.....Nov. 17, 1861
Andrew J. Calley.....Nov. 28, 1863
Robt. G. Ellegood.....Nov. 23, 1865
Robt. Lambdin.....Feb. 7, 1867
Robt. Lambdin.....Feb. 4, 1869
Robt. G. Ellegood.....Feb. 2, 1871
Robt. G. Ellegood.....Feb. 10, 1873
Nathan Pratt.....Jan. 29, 1875
John F. Staats.....Jan. 24, 1879
Jesse L. Long.....Jan. 16, 1883
Jas. H. Boyce.....Jan. 26, 1887

Samuel White.....Sept. 21, 1807
James Green.....Feb. 15, 1808
John Mitchell.....April 2, 1814
Robert Dill.....April 28, 1814
Cornelius P. Cornegys.....Sept. 5, 1814
William Hill Wells.....May 22, 1816
James Rogers.....Jan. 18, 1820
William Green.....
Thomas Stockton.....Jan. 10, 1833

Adjutant Generals.

John McClung.....Oct. 4, 1833
George Davis.....Aug. 15, 1862
Mark G. Lofland.....Aug. 20, 1862
S. M. Harrington, Jr.....Feb. 23, 1863
Edward D. Porter.....Dec., 1863
William Reynolds.....Jan. 18, 1875
Wm. S. McCaulley.....April 17, 1877
Jas. Parke Postles.....Jan. 8, 1879
Richard R. Kenney.....Jan. 29, 1887

State Health Officers.

R. P. Johnston.....Feb. 1, 1855
Henry F. Hall.....Feb. 19, 1855
Joseph B. Lyons.....March 24, 1859
William H. White.....April 19, 1859
George W. Webster.....May 15, 1862
James F. Wilson.....Feb. 18, 1863
Henry F. Hall.....Jan. 11, 1864
David Hall.....Sept. 2, 1867
James A. Draper.....April 22, 1868
L. P. Bush.....March 28, 1879
G. W. Chamberlain.....March 28, 1878
A. Whitely.....March 28, 1879
William Marshall.....March 28, 1879

David Hall.....March 28, 1879
William Wolf.....March 28, 1879
John K. Kane.....June 2, 1879
William Marshall.....May 7, 1881
G. W. Chamberlain.....May 7, 1881
Edward Fowler.....May 7, 1881
J. K. Kane.....August 6, 1884
A. Whitely.....
D. L. Mustard.....
W. T. Skinner.....May 20, 1886
W. K. Pierson.....October 14, 1887
E. W. Couper.....
Robert G. Ellegood.....

State Treasurers.—The first State Treasurer was appointed under resolution of Council and Assembly of May 16, 1778. Samuel Patterson was chosen, and served until 1781. The following persons have served in the capacity, as far as can be ascertained:

Dr. Jas. Tilton.....Dec. 1, 1781
Joshua Clayton.....June 24, 1786
John Gordon.....June 2, 1789
Francis Many.....Dec. 5, 1791
Robert Clarke.....Feb. 1, 1792
Thos. Stipple.....Jan. 26, 1794
John Clark.....Jan. 8, 1799
Dr. Henry Mollleston.....Feb. 4, 1808
Saml. Paynter.....Feb., 1813
Cornelius P. Cornegys.....Feb. 9, 1819
Cornelius P. Cornegys.....Feb. 26, 1821
Wm. W. Green.....Jan. 13, 1824
Cornelius P. Cornegys.....Jan. 26, 1830
Peter S. Parker.....Jan. 23, 1835
Elijah Cannon.....Jan. 10, 1839
Wm. D. Waples.....Jan. 25, 1841

Gardner H. Wright.....Jan. 12, 1843
Jas. S. Buckmaster.....Feb. 11, 1845
Jacob Faria.....Jan. 18, 1849
Wm. Cannon.....Jan. 28, 1861
John R. Sudler.....Jan. 24, 1865
Wm. J. Clarke.....1865
Saml. B. Hitch.....1861
Lexley R. Jacobs.....Jan. 28, 1863
Lowellyn Tharp.....Jan. 26, 1865
Wm. J. Clarke.....Feb. 7, 1867
Robt. H. Davis.....Feb. 2, 1871
Thos. B. Giles.....Jan. 29, 1875
Robt. J. Reynolds.....Jan. 24, 1879
John M. Houston.....Jan. 16, 1883
Wm. Herbert.....Jan. 25, 1887

Insurance Commissioners.

John R. McFee.....April 21, 1879
H. C. Douglass.....April 21, 1883

Nathan Pratt.....March 21, 1885

Fish Commissioners.²

William W. Pritchett, Israel H. Fols, George G. Cleaver, William D. Lockerman, Isaac N. Grubb, April 4, 1876.
Enoch Moore.....April 22, 1881
Enoch Moore.....April 23, 1883

E. R. Norney.....April 25, 1887

Members of State Constitutional Conventions.

1776. NEW CASTLE COUNTY.

Nicholas Van Dyke.
Richard Cantwell.
Alexander Porter.
John Thompson.
Abraham Robertson.
Thomas McKean.
George Read.
John Evans.
John Lea.
John Jones.

1776. KENT COUNTY.

Thomas Collins.
Charles Ridgely.
James Sykes.
Richard Bassett.
Jacob Stout.
John Cook.
Samuel West.
John Clarke.
Thomas White.
Richard Lockwood.

1776. SUSSEX COUNTY.

Jacob Moore.
James Bench.
Isaac Bradley.
John Wiltbank.
Isaac Horsey.
Wm. Polk.
Joshua Hill.
Peter Hubbard.
Phillips Kollock.
Alexander Laws.

1791. NEW CASTLE COUNTY.

Thomas Montgomery.
John Dickinson.

Robert Armstrong.
Edward Roche.
William Johnston.
Robert Haughey.
George Munro.
Joseph Tatnall.
Robert Coram.
Kensy Johns.

1791. KENT COUNTY.

Nicholas Ridgely.
John Clayton.
Robert Holliday.
Thomas White.
Manlove Emmerson.
James Morris.
James Sykes.
Richard Bassett.
Benjamin Dill.
Dr. Henry Mollleston.

1791. SUSSEX COUNTY.

Isaac Cooper.
George Mitchell.
John Wise Batson.
Peter Robinson.
Rhonda Shankland.
Charles Polk.
Isaac Beauchamp.
John Collins.
William Moore.
Daniel Polk.

1831. NEW CASTLE COUNTY.

John Elliot.
Willard Hall.
William Seal.
George Read, Jr.
James Rogers.
John Harlan.

Escheators.

George Cummins, Kent County.....May 1, 1805
James Taylor, Kent County.....August 24, 1805
James F. Baylis, Sumex County
John Hall, New Castle County
James Snow, New Castle County.....May 9, 1811
Edwin Roche, New Castle County.....May 8, 1815
James F. Baylis, Sumex County.....June 20, 1815
John Lowber, New Castle County.....March 25, 1816
John Moody, New Castle County.....1823
Daniel Godwin, Kent County.....March 13, 1824
Caleb S. Layton, Sumex County.....March 13, 1824
John Moody, New Castle County.....January 5, 1829
Daniel Godwin, Kent County.....December 9, 1829
James A. Sparks, New Castle County.....January 3, 1843
Thomas Deakyno, New Castle County.....September 10, 1833
Benaiah Tharpe, Kent County.....May 12, 1840
John D. Bird, New Castle County.....February 2, 1844
Peter Vandever, New Castle County.....March 29, 1849
Levin W. Wiley, Sumex County.....June 8, 1852
John H. Paynter, Sumex County.....May 8, 1866
John H. Paynter, Sumex County.....January 1, 1867
Edwin R. Paynter, Sumex County.....February 1, 1874

¹ Act establishing the office February 3, 1787.

² Act of February 19, 1873.

Thomas W. Handy.
John Caulk.
Charles H. Haughey.
Thomas Deakyno.

1831. KENT COUNTY.

Charles Polk.
Benaiah Tharp.
Peter L. Cooper.
Andrew Green.
John M. Clayton.
James B. Macomb.
Hughitt Layton.
Elias Naudain.
Presley Spruance.
John Raymond.

1831. SUSSEX COUNTY.

Samuel Ratcliff.
James Fisher.
William Nicholls.
Thomas Adama.
James C. Lynch.
Joseph Maull.
William Dunning.
Edward Dingle.
William D. Waples.
Henry F. Rodney.

1852. NEW CASTLE COUNTY.

James A. Bayard.
Benjamin T. Biggs.
Daniel Corbit.

Benjamin Gibbs.
Andrew C. Gray.
John R. Latimer.
William C. Lodge.
George Maxwell.
Rathmell Wilson.
James Springer.

1852. KENT COUNTY.

Martin W. Bates.
John S. Bell.
William Collins.
Charles H. Heverin.
James R. Lofland.
James H. Smith.
Caleb Smithers.
Henry Whitaker.
William Wilkinson.
Charles Martin.
Richard H. Merriken.

1852. SUSSEX COUNTY.

John H. Burton.
John W. Calloway.
William S. Hall.
David Hazzard.
Nathaniel W. Hickman.
Robert B. Houston.
Thomas A. Jones.
Jesse L. Long.
Truston P. McColley.
Cyrus S. Phillips.

Peter Brynberg.....Jan. 7, 1800
Thomas Fitzgerald.....Nov. 3, 1800
John Bird, (ineligible).....Nov. 3, 1800
Robert Maxwell.....Jan. 23, 1801
John Bird.....Jan. 7, 1802
John Way.....Jan. 4, 1803
Thomas Fitzgerald.....Jan. 5, 1804
William Couch, Nov. 12, 1804; re-
signed Jan. 9, 1806.
John Way.....Jan. 9, 1806
George Clark.....Jan. 23, 1806
Thomas Perkins.....Jan. 6, 1807
John Merritt.....Jan. 5, 1808
John Way.....Nov. 14, 1808
John Lockwood.....Nov. 14, 1808
Andrew Reynolds.....Jan. 3, 1810
Francis Haughey.....Jan. 1, 1811
John Way.....Jan. 7, 1812
Samuel H. Black.....Nov. 9, 1812
Abraham Staats.....Jan. 4, 1814
Cesar A. Rodney.....Jan. 2, 1815
Nicholas Van Dyke.....Jan. 2, 1816
George Clark.....Nov. 11, 1816
Andrew Gray.....Jan. 6, 1818
Samuel H. Black.....Jan. 6, 1818
Samuel H. Black.....Jan. 5, 1819
Jacob Vandegrift.....Jan. 4, 1820
Victor Du Pont.....Oct. 1, 1819
Charles Thomas.....Oct. 18, 1
William Weldon (2d).....Oct. 18, 22
John Erwin.....Oct. 18, 23
Henry Whitley.....Oct. 18, 24
Christopher Vandegrift.....Oct. 18, 25
Joseph Englund.....Oct. 18, 26
Thomas Deakyno.....Oct. 18, 28
John Harlan.....Oct. 18, 28
William Seal.....Oct. 18, 29
William T. Read.....Oct. 18, 30
Jacob Alrich.....Oct. 18, 30
John Sutton.....Oct. 18, 31
James Booth.....Jan. 11, 1832
Richard H. Bayard.....Nov., 1832
Thomas W. Handy.....Nov., 1832

Thomas W. Handy.....Nov., 1834
John D. Dilworth.....Nov., 1834
Archibald Hamilton.....Nov., 1834
William Herdman.....Nov., 1836
Christopher Brooks.....Jan. 18, 1837
Thomas Deakyno.....Nov., 1838
Charles I. Du Pont.....Nov., 1840
David McAllister.....Nov., 1842
Robert Ocheltree.....Nov., 1842
Mahlon Betts.....Nov., 1844
John D. Turner.....Nov., 1845
Samuel Burnham.....Nov., 1846
James H. Hoffecker.....Nov., 1848
Harrett Ferguson.....Nov., 1850
William Smith.....Nov., 1850
Charles I. Du Pont.....Nov., 1852
Archibald Armstrong.....Nov., 1854
Sewell C. Biggs.....Nov., 1854
Abraham Boyce.....Nov., 1856
Charles T. Polk.....Nov., 1858
David W. Gemmell.....Nov., 1858
John B. Tatum.....Nov., 1860
John P. Bellville.....Nov., 1862
John F. Williamson.....Nov., 1862
Isaac S. Elliot.....Nov., 1864
John G. Jackson.....Nov., 1866
Curtis B. Eliason.....Nov., 1866
Charles Gooding.....Nov., 1868
Allen V. Lesley.....Nov., 1870
Leonard G. Vandegrift.....Nov., 1870
Leander F. Riddle.....Nov., 1872
James H. Ray.....Nov., 1874
Henry Davis.....Nov., 1874
Harry Sharpley.....Nov., 1876
J. Wilkins Cooch.....Nov., 1878
Charles H. McWhorter.....Nov., 1878
Edward Betts.....Nov., 1880
Swithin Chandler.....Nov., 1882
Alexander B. Cooper.....Nov., 1882
Charles H. McWhorter.....Nov., 1884
Calvin W. Crossen.....Nov., 1886
Colen Ferguson.....Nov., 1886

Members of Council under Penn. and State Senators.

MEMBERS OF COUNCIL FROM NEW CASTLE COUNTY.

March 11, 1683. Capt. William
Markham.

Edmund Cantwell.
John Moll.

March 20, 1684, of 1684-85. Wil-
liam Welch.

Edmund Cantwell.
John Cann.

1685. Edward Green.

1686-87. John Cann.

Peter Alrich.

1688. John Cann.

Peter Alrich.

Johannes de Hase.

1689. Peter Alrich.

Johannes de Hase.

1690. Johannes de Hase.

John Cann.

1692. John Cann.

Richard Halliwell.

1693. John Cann.

1695. Richard Halliwell.

John Donaldson.

John Williams.

1696. John Donaldson.

1697. Peter Alrich.

Richard Halliwell.

1698. Richard Halliwell.

John Donaldson.

1699. Richard Halliwell.

No members returned.

Jan., 1700. Richard Halliwell.

Robert French.

May, 1700.¹ Richard Halliwell.

John Donaldson.

Joseph Yeates.

STATE SENATORS FROM NEW CASTLE COUNTY.

George Read, Speaker.....Oct. 28, 1777

Nicholas Van Dyke.....Oct. 28, 1777

Richard Cantwell.....Oct. 28, 1777

Peter Hyatt vice Cantwell.....Oct.
23, 1777.

Samuel Patterson.....Oct. 28, 1778

Richard Cantwell.....Oct. 22, 1779

Thomas Macdonough.....Oct. 20, 1780

John Dickinson.....Oct. 25, 1781

Peter Hyatt.....Oct. 25, 1781

Isaac Grantham.....Jan. 22, 1782

George Read.....Jan. 11, 1783

Thomas Macdonough.....Oct. 20, 1783

George Craighead.....Oct. 20, 1784

Nicholas Van Dyke.....Oct. 20, 1786

Thomas Macdonough.....Oct. 25, 1787

Gunning Bedford, Jun.,.....Oct. 23,

1788.

Thomas Kean.....Oct. 23, 1788

Alexander Porter.....Oct., 1790

Nehemiah Tilton.....Oct. 24, 1791

Archibald Alexander.....Oct. 24, 1791

Robert Haughey.....Jan. 1, 1793

Archibald Alexander.....Jan. 1, 1793

John Dickinson resigned.....June 19,
1793.

Isaac Grantham.....Jan. 8, 1794

Thomas Kean.....Jan. 8, 1794

John Stockton.....Jan. 9, 1795

John James.....Jan. 5, 1796

Alexander Porter.....Nov. 9, 1796

John James.....Nov. 9, 1796

Archibald Alexander.....Nov. 9, 1796

Archibald Alexander.....Jan. 2, 1798

John James.....Jan. 2, 1798

Edward Roche.....Jan. 2, 1798

Isaac Grantham.....Jan. 2, 1799

Archibald Alexander.....Jan. 7, 1800

MEMBERS OF COUNCIL FROM KENT COUNTY.

1683. Francis Whitwell.

John Hilliard.

John Richardson.

1684. Francis Whitwell.

William Southerbe.

John Hilliard.

1685. William Southerbe.

William Frampton.

1686. William Frampton.

1687. John Curtis.

Griffith Jones.

1688. Griffith Jones.

1689. John Curtis.

Griffith Jones.

1690. John Curtis.

Griffith Jones.

1691. John Curtis.

1692. Richard Wilson.

1693. John Brinkloe.

Richard Wilson.

Griffith Jones.

1696. John Brinkloe.

John Donaldson.

1697. Griffith Jones.

John Curtis.

1698. John Curtis.

William Rodney.

1699. William Rodney.

Richard Wilson.

May, 1700.² John Walker.

Henry Melleston.

Thomas Bedwell.

STATE SENATORS FROM KENT COUNTY.

Thomas Collins.....Oct. 28, 1776

James Sykes.....Oct. 28, 1776

Richard Bassett.....Oct. 28, 1776

John Baring, vice Sykes, May 2,

1777.

Richard Bassett.....Oct. 23, 1777

Thomas Collins, Speaker, Oct. 22,

1779.

John Cook, Speaker, Oct. 20, 1780

John Baring.....Oct. 25, 1781

Thomas Collins, Speaker, Oct. 25,

1781.

Richard Bassett.....Oct. 21, 1782

Cesar Rodney Speaker, Oct. 26,
1783.

Vincent Lockerman.. Oct. 20, 1784

Thomas Macdonough, Speaker,

Oct. 20, 1784.

Shas Know.....Oct. 20, 1784

James Tilton.....Oct. 20, 1785

John Baring.....Oct. 20, 1786

John Cook.....Oct. 25, 1787

Nicholas Ridgely.....Oct. 23, 1788

John Gordon.....Oct. 23, 1790

Fenwick Fisher.....Oct. 24, 1791

James Raymond.....Oct. 24, 1791

¹ No members of Council were chosen from this county from this date. The three lower counties were separated from Pennsylvania in May, 1704, and on the 22d of that month the first General Assembly met at New Castle.

² No members of Council were chosen from this county until February 8, 1704, when William Rodney was called to the board by the Council.

John Vining.....Oct. 24, 1793
Edward White.....Jan. 1, 1793
James Morris.....Jan. 1, 1793
resigned Jan. 19, 1793.
James Sykes.....Jan. 8, 1794
Isaac Davis.....Jan. 8, 1794
Geo. Wilson.....Jan. 8, 1794
Joseph Miller.....Jan. 9, 1795
Isaac Davis.....Jan. 5, 1796
George Cummins.....Nov. 9, 1796
George Cummins.....Jan. 2, 1798
James Sykes.....Jan. 2, 1798
Isaac Davis.....Jan. 2, 1798
Isaac Davis.....Jan. 2, 1799
James Raymond.....Jan. 7, 1800
John Vining.....Jan. 7, 1800
James Sykes.....Nov. 3, 1800
George Cummins.....Jan. 7, 1802
George Hewitt.....Jan. 4, 1803
James Sykes.....Jan. 4, 1804
George Cummins.....Nov. 12, 1804
George Truitt.....Jan. 9, 1806
James Sykes.....Jan. 6, 1807
Thomas Clayton.....Jan. 5, 1808
George Cummins.....Jan. 5, 1808
James Sykes.....Jan. 2, 1810
George Cummins.....Jan. 1, 1811
John Lockwood.....Jan. 7, 1812
died before taking his seat
Andrew Barratt.....Jan. 15, 1812
James Morris.....Nov. 9, 1812
George Cummins.....Jan. 5, 1814
Henry Mollleston.....Jan. 3, 1815
Jacob Stout.....Jan. 2, 1816
George Cummins.....Nov. 11, 1816
Henry Mollleston.....Jan. 6, 1818
Jacob Stout.....Jan. 5, 1819
George Cummins.....Jan. 4, 1820
John Mitchell.....Jan. 15, 1820
Enoch Joyce.....Oct., 1819
Thomas Clayton.....Jan. 11, 1821
Manlove Hayes.....Oct., 1821
Willard Hall.....Oct., 1822
William W. Morris.....Oct., 1823
Charles Polk.....Oct., 1824
Presley Spruance, Jr.....Oct., 1825
John Brucklos.....Oct., 1826
Presley Spruance.....Oct., 1828

Joseph G. Oliver.....Oct., 1828
William Johnson.....Oct., 1829
Dr. James P. Lofland.....Oct., 1830
Thomas Wainwright.....Oct., 1831
Joseph Smithers.....Nov., 1832
Charles Polk.....Nov., 1832
Charles Polk.....Nov., 1834
Presley Spruance, Jr.....Nov., 1834
Elias Naudain.....Nov., 1836
William Tharp.....Nov., 1838
Charles Polk.....Nov., 1838
Presley Spruance.....Nov., 1840
Joseph Smithers.....Nov., 1842
William Roe.....Nov., 1842
George Fisher.....Nov., 1844
Presley Spruance.....Nov., 1846
William W. Morris.....Nov., 1846
Levin H. Adams.....Nov., 1848
William Temple.....Nov., 1848
William Temple.....Nov., 1850
Dr. Isaac Jump.....Nov., 1855
Daniel Curry.....Nov., 1852
William Collins.....Nov., 1854
Moses Harrington.....Nov., 1854
Thomas J. Morse.....Nov., 1856
Wilson L. Cannon.....Nov., 1858
Alexander Johnson.....Nov., 1858
John Green.....Nov., 1860
Gove Saulsbury.....Nov., 1862
Thomas Cahall.....Nov., 1862
John H. Bewley.....Nov., 1864
James W. Minors.....Nov., 1866
John W. Hall.....Nov., 1866
Thomas H. Denny.....Nov., 1868
John Mustard.....Nov., 1870
Curtis S. Watson.....Nov., 1870
William M. Shakespeare.....Nov., 1872
Henry B. Fiddeman.....Nov., 1874
William Sapp.....Nov., 1874
J. Frank Denny.....Nov., 1872
Charles J. Harrington.....Nov., 1876
Caleb S. Penniwell.....Nov., 1878
Samuel B. Cooper.....Nov., 1880
Wilson T. Cavender.....Nov., 1886
Samuel D. Roe.....Nov., 1882
William H. Cooper.....Nov., 1884
John E. Collins.....Nov., 1886
Dr. Benaiah L. Lewis.....Nov., 1886

John Collins.....Oct. 25, 1782
Joshua Polk.....Oct. 27, 1783
Henry Neill.....Oct. 20, 1784
Joshua Polk.....Oct. 20, 1784
Daniel Polk.....Oct. 20, 1785
Alexander Laws.....Oct. 20, 1786
S. Kollock, illegal.....Oct. 30, 1787
Isaac Horsey, place of Kollock.....Jan. 7, 1788
George Mitchell.....Oct. 23, 1788
Daniel Polk.....Oct. 23, 1788
Rhoads Shankland.....Oct. 24, 1790
Isaac Cooper.....Oct. 24, 1790
Daniel Polk.....Jan. 1, 1793
Daniel Rogers.....Jan. 1, 1793
Rhoads Shankland.....Jan. 7, 1793
George Mitchell.....Jan. 8, 1794
Thomas Laws.....Jan. 9, 1795
Daniel Rogers.....Jan. 5, 1796
George Mitchell.....Nov. 9, 1796
Nicholas Hays.....Nov. 9, 1796
Nicholas Hays.....Jan. 2, 1798
Woodman Stockley.....Jan. 2, 1798
David Owens.....Jan. 2, 1799
Charles Draper.....Jan. 7, 1800
Nathaniel Hays.....Nov. 3, 1800
Daniel Rogers.....Jan. 7, 1802
Charles Draper.....Jan. 4, 1803
Peter Robinson.....Jan. 5, 1804
Daniel Rogers.....Nov. 12, 1804
Caleb Rodney.....Jan. 17, 1806
Charles Draper.....Jan. 20, 1806
Samuel Paynter.....Jan. 6, 1807
Caleb Rodney.....Jan. 6, 1807
Samuel Paynter.....Jan. 5, 1808
Thomas Cooper.....Nov. 15, 1808
Nathaniel Mitchell.....Jan. 2, 1810
Samuel Paynter.....Jan. 1, 1811
Jesse Green.....Jan. 7, 1812
William H. Wells.....Nov. 9, 1812
Benjamin Burton.....Jan. 4, 1814
Thomas Fisher.....Jan. 4, 1814
Jesse Green.....Jan. 3, 1815
Caleb Rodney.....Jan. 2, 1816
Benjamin Burton.....Jan. 2, 1816
Joseph Maull.....Nov. 11, 1816
Caleb Rodney.....Jan. 6, 1818
Edward Dingle.....Jan. 5, 1819
Joseph Maull.....Jan. 4, 1820
Caleb Rodney.....Oct. 1810
Jesse Green.....Oct. 1821
Samuel Paynter.....Oct. 1822
Chas. Cullen.....Oct. 1823
Jesse Green.....Oct. 1824
Wm. N. Polk.....Oct. 1824

Wm. N. Polk.....Oct. 1825
Peter Robinson.....Oct. 1826
Purnal Tindal.....Oct. 1828
George Truitt.....Oct. 1829
Caleb S. Layton.....Oct. 1830
John Tennent.....Oct. 1830
Dr. John Carey.....Jan. 20, 1831
Joshua Burton.....Oct. 1831
Kendall M. Lewis.....Oct. 1831
Henry F. Rodney.....Nov. 1832
Kendall M. Lewis.....Nov. 1832
William D. Waples.....Nov. 1832
Joshua Burton.....Nov. 1834
David Hazzard.....Nov. 1834
Henry F. Rodney.....Nov. 1836
Joseph Maull.....Nov. 1838
Thomas Jacobs.....Nov. 1838
Stansbury Jacobs.....Nov. 1840
Joseph Maull.....Nov. 1842
George R. Fisher.....Nov. 1842
Warren Jefferson.....Nov. 1844
Thomas Jacobs.....Nov. 1846
Samuel R. Paynter.....Nov. 1846
Henry B. Fiddeman.....Nov. 1848
Thomas Jacobs.....Jan. 22, 1849
John Sorden.....Nov. 1850
John M. Phillips.....Nov. 1850
John Ponder.....Nov. 1852
John A. Hazzard.....Nov. 1854
Elithu J. Pusey.....Nov. 1854
Manlove R. Carlisle.....Nov. 1856
John Morton.....Nov. 1858
Joseph A. McFerran.....Nov. 1858
Hicks D. Hooper.....Nov. 1860
Henry Hickman.....Nov. 1862
William Hitch.....Nov. 1862
James Ponder.....Nov. 1864
John H. Paynter.....Nov. 1866
Jacob Bounds.....Nov. 1866
George Russell.....Nov. 1868
Thomas E. Records.....Nov. 1870
Martin M. Ellis.....Nov. 1870
Charles C. Stockley.....Nov. 1872
John W. Causey.....Nov. 1874
John T. Moore.....Nov. 1874
James A. Hopkins.....Nov. 1876
Catesby F. Rust.....Nov. 1878
Isaac Conaway.....Nov. 1878
Andrew J. Horsey.....Nov. 1880
Edward W. Houston.....Nov. 1882
David L. Mustard.....Nov. 1882
Hugh Martin.....Nov. 1884
John B. Dorman.....Nov. 1886
Thomas Bacon.....Nov. 1886

MEMBERS OF COUNCIL FROM SUSSEX COUNTY.

1683.—William Clark, John Roads, Edward Southrin.
1684.—Luke Watson, Edward Southrin, William Clark.
1685.—John Roads, William Darvall, Luke Watson.
1686.—Luke Watson, John Roads, William Clark, William Darvall.
1687.—William Darvall.
1688.—William Darvall, Luke Watson.
1689.—Luke Watson, John Hill.
1690.—Luke Watson, William Clark.
1693.—William Clark.
1695.—William Clark, Thomas Pemberton, Robert Clifton.
1696.—William Clark, John Hill.
1697.—William Clark, John Hill.
1698.—William Clark, John Hill.
1699.—William Clark, John Hill.
May, 1700.—Samuel Preston, John Hill, Thomas Ffenwick.

STATE SENATORS FROM SUSSEX COUNTY.

John Wiltbank.....Oct. 28, 1776
William Polk.....Oct. 28, 1776
Daniel Dingee.....Oct. 28, 1776
Samuel S. Sloss¹.....May 2, 1777
John Jones².....May 2, 1777
J. Clowes, vice Dingee.....Mar. 9, 1778
W. Conwell, vice Sloss.....Mar. 9, 1778
William Conwell.....Oct. 28, 1778
William Polk.....Dec. 12, 1778
William Polk.....Oct. 22, 1779
J. Clowes, Speaker.....Oct. 20, 1779
William Conwell.....Oct. 25, 1781
J. Polk of Broad Creek.....Oct. 25, 1781
Joshua Polk.....Oct. 25, 1782

¹ No members of Council were chosen from this county until January 8, 1794, when William Clark was called to the board by the Council.

² In place of Polk and Dingee, appointed Justices.

Speakers of the Three Lower Counties—New Castle, Kent and Sussex—from 1704 to 1776.

There are no records of the Council and Assembly of the lower counties known to be in existence, and the members that composed them are not known. From one of the original publications of the laws, now in possession of C. H. B. Day, of Dover, the following-named persons are ascertained to have been Speakers of the Council under the Governors mentioned:

Joseph England, under John Evans, 1703-09.
John French, under Sir William Keith, 1717-26.
Hen. Brooke, under Sir William Keith, 1717-26.
Andrew Hamilton, under Patrick Gordon, 1726-36.
David French, under George Thomas 1738-47.
Thomas Nexon, under George Thomas, 1738-47.
Jehu Curtis, under George Thomas, 1738-47.
Ryves Holt, under George Thomas, 1738 47.

SPEAKERS OF THE STATE SENATE.

1776. George Reed.
1778. Thomas Collins.
1779. John Clowes.
1780. Thomas Collins.
1783. Cesar Rodney.
1784. Thomas Macdonough.
1786. George Craghead.
1787. Thomas Macdonough.

1788. George Mitchell.
 1790. Daniel Rogers.
 1798. Isaac Davis.
 1800. James Sykes.
 1802. Daniel Rogers.
 1803. James Sykes.
 1812. Andrew Barratt.
 1815. Jesse Green.
 1817. Henry Mollenston.
 1820. Jacob Stout.
 Caleb Rodney.
 1823. Charles Thomas.
 1824. Jesse Green.
 1826. Charles Polk.
 1827. Henry Whiteley.
 1828. Presley Spruance, Jr.
 1832. Dr. James P. Lofland.
 1833. Joshua Burton.
 1835. Charles Polk.
 1837. Presley Spruance.
 1841. Charles Polk.

1843. Presley Spruance.
 1845. Joseph Maul.
 1849. William W. Morris.
 1851. Henry B. Fiddeman.
 1853. John M. Phillips.
 1855. Daniel Currey.
 1861. Dr. John Martin.
 1863. John Green.
 1865. Dr. Gove Saulebury.
 William Hitch.
 1867. James Ponder.
 1869. James Williams.
 1871. Charles Gooding.
 1873. Allen V. Lesley.
 1875. Charles C. Stockley.
 1877. John T. Moore.
 1879. Charles J. Harrington.
 1881. Catesby F. Rust.
 1883. Samuel B. Cooper.
 1885. Alexander B. Cooper.
 1877. John E. Collins.

Members of Assembly under Penn.

NEW CASTLE.
 Dec. 4, 1682, Wm. Sempie.
 March 12, 1683, John Cann.
 John Darby.
 Valentine Hollingsworth.
 Casperus Herman.
 Johannes De Haes.
 James Williams.
 William Guest.
 Peter Alrich.
 Heinrich William.
 1684. James Williams.
 John Darby.
 William Grant.
 Casperus Herman.
 Abram Mann.
 John White.
 1686. John White.
 John Darby.
 Cornelius Empson.
 James Williams.
 Abram Mann.
 William Grant.
 1687. Johannes De Haes.
 Edward Blake.
 Valentine Hollingsworth.
 John White.
 John Darby.
 Richard Noble.
 1688. John White.
 Edward Blake.
 Peter Baynton.
 Valentine Hollingsworth.
 John Darby.
 Joseph Holding.
 1689. John Darby.
 John White.
 Valentine Hollingsworth.
 Edward Blake.
 Isaac Weidon.
 Richard Mankin.
 1690. Edward Blake.
 Henry Williams.
 Richard Halliwell.
 John Darby.
 William Grant.
 John Donaldson.
 1692. John Darby.
 John Donaldson.
 Joseph England.
 John Grubb.

Robert Ashdon.
 Edward Blake.
 1693. Edward Blake.
 Cornelius Empson.
 Henry Williams.
 Richard Halliwell.
 1694. John Donaldson.
 Edward Blake.
 Richard Halliwell.
 Henry Williams.
 1695. Joseph England.
 Valentine Hollingsworth.
 George Harland.
 Edward Gibbs.
 Henry Hollingsworth.
 Cornelius Empson.
 1696. John Hussey.
 Cornelius Empson.
 George Hogg.
 Adam Peterson.
 1697. Cornelius Empson.
 Benjamin Gornley.
 John Richardson.
 John Buckley.
 1698. Adam Peterson.
 Edward Gibbs.
 John Grubb.
 Joseph England.
 1699. John Henly.
 Adam Peterson.
 William Guest.
 William Houston.
 Jan., 1700. John Healy.
 Adam Peterson.
 William Guest.
 William Houston.
 May, 1700. Adam Peterson.
 Joseph England.
 Richard Cantwell.
 Robert French.
 Valentine Hollingsworth.
 William Houston.
 Oct. 16, 1700. John Healy.
 John Grubb.
 Robert French.
 Thomas Pierson.
 Oct., 1701. Jasper Yeates.
 John Donaldson.
 Richard Halliwell.
 Adam Peterson.

April 14, 1704.¹ James Coutts.
 John Healy.

Roelof De Haes.
 Isaac Gooding.

Members of the State House of Representatives.

The Journal of the House from 1776 to 1782 is not in the State Library and the list of members cannot be given with accuracy.

NEW CASTLE COUNTY.

October 21, 1782.—Nicholas Van Dyke, Thomas Duff, Robert Bryan, John James, Peter Hyatt, Samuel Smith, Thos McKean.
 May 30, 1783.—Joshua Clayton.
 October 22, 1784.—Thomas Duff, Gunning Bedford, John James, Peter Hyatt, Samuel Smith, William Clark, Jacob Broom.
 October 22, 1785.—Gunning Bedford, Jacob Broom, Thomas Duff, John Garret, Peter Hyatt, Joshua Clayton, William Clark.
 October 24, 1786.—Alexander Porter, Gunning Bedford, Isaac Grantham, Thomas Evans, Thomas Duff, Jacob Broom, Peter Hyatt.
 October 24, 1787.—Alexander Porter, Thomas Evans, Isaac Grantham, Henry Latimer, Thomas May, Thomas Robinson, Joshua Clayton.
 October 22, 1788.—Alexander Porter, Peter Hyatt, Jacob Broom, Henry Latimer, Thomas Montgomery, John James, Thomas May.
 October 22, 1790.—Kensley Johns, John James, Thomas Duff, Henry Latimer, Peter Hyatt, Thomas Montgomery, Isaac Grantham.
 October 20, 1791.—Solomon Maxwell, Thomas Evans, William Robeson, Alexander Reynolds, William McKennan, John Collins, Samuel Hollingsworth.
 October, 1792.—Nehemiah Tilton, Edward Roche, George Monro, William Johnson.
 October, 1793.—John James, Robert Armstrong, Robert Staughy, James Black, Nehemiah Tilton, William Johnson, William McKennan.
 October, 1794.—James Black, (died in December, 1794), John James, Samuel Hollingsworth, William Cooch, Alexander Porter, William Johnson, William Frazier.
 January 23, 1795.—Archibald Alexander.
 October, 1795.—James Stroud, Nehemiah Tilton, Joel Lewis, William Cooch, William McKennan, Robert Maxwell, Elias Naudain.
 October, 1796.—James Stroud, Robert Armstrong, Joel Lewis, Cesar A. Rodney, Nehemiah Tilton, Robert Maxwell, Elias Naudain.
 October, 1797.—James Stroud, Robert Armstrong, Cesar A. Rodney, Richard C. Dale, Nehemiah Tilton, Joel Lewis, William Johnson.
 January 16, 1798.—John Crow.
 October, 1798.—George Gillespie, John Clark, Cesar A. Rodney, Thomas Kean, Nicholas Van Dyke, Richard C. Dale, Joseph Tatnall.
 October, 1799.—Cesar A. Rodney, Joseph England, George Gillespie, Robert Middleton, George Clark, Jr., Thomas Fitzgerald, William Johnson.
 October, 1800.—Cesar A. Rodney, John Way, Joseph England, William C. Simonton, George Clark, John C. Brush,² Levy Adams.
 October, 1801.—Philip Lewis, George Clark, Adam Williamson, Cesar A. Rodney, William Cooch, Joseph England, George Clark, Abraham Staats.
 October, 1802.—Adam Williamson, William Poole, James Stroud, Philip Lewis, William Whann, George Clark, Abraham Staats.
 October, 1803.—Thomas Perkins, Peter Brynberg, Andrew Reynolds, David Morrison, Morgan Jones, James Monro, Benjamin Merritt.
 October, 1804.—Peter Brynberg, Thomas Perkins, — Snow, Abraham Staats, Jesse Higgins, John Bird, Morgan Jones.
 October, 1805.—Thomas Perkins, Isaac H. Starr, Andrew Reynolds, George Gillespie, John Bird, William Haxlett, John Merritt.
 October, 1806.—Peter Jacquett, Patrick O'Flynn, John R. Phillips, George Gillespie, Peter Williams, Leonard Vandegrift, John Merritt.
 October, 1807.—John Bird, Jesse Higgins, Leonard Vandegrift, Peter Williams, William Robinson, David Morrison, Andrew Reynolds.
 October, 1808.—William D. Phillips, Andrew Reynolds, Thomas Phillips, Levi Boulden, John Bird, Leonard Vandegrift, Jesse Higgins.
 October, 1809.—Robert Forwood, William D. Phillips, John Bird, Benjamin Chambers, Samuel H. Black, Jesse Higgins, Enoch Thomas.
 January 20, 1810.—Joseph England.
 October, 1810.—Joseph Pierce, Nicholas G. Williamson, Thomas Phillips, James R. Black, Dr. William W. Haxlett, Samuel H. Black, Abraham Staats.

¹ These representatives were the last from the three lower counties, as in May following they were separated from Pennsylvania, and the first General Assembly was held at New Castle May 22, 1704.

No minutes of Council or Assembly are found from that time until Delaware became a State in 1776, except the members who chose, August 1, 1774, the delegates to the memorable convention at Carpenter's Hall, at Philadelphia, whose names are,—

Thomas McKean.
 John Evans.
 John McKinley.

James Latimer.
 George Read.
 Alexander Porter.

² Mr. Brush was a clergyman, and by the ninth section of the eighth article of the Constitution of the State of Delaware was disqualified, and the seat declared vacant. The case was argued before the House several times, and January, 1801, he gave up the ministry, was qualified and took his seat.

October, 1811.—Joseph Peirce, Nicholas G. Williamson, David Morrison, George Read, Jr., George Clarke, Samuel H. Black, Abraham Staats.

October, 1812.—Peter Vandever, Nicholas G. Williamson, John Haslin, George Read, Jr., George R. Massey, George Clark, Abraham Staats.

October, 1813.—Peter Vandever, Nicholas G. Williamson, Joseph England, George R. Massey, George Read, Jr., John Sutton, Alrich Ryland.

October, 1814.—Victor Du Pont, Nicholas G. Williamson, Joseph England, Alrich Ryland, George R. Massey, John Crow, John Sutton.

October, 1815.—Victor Du Pont, Nicholas G. Williamson, Andrew Reynolds, Samuel H. Black, John Crow, John Sutton, John T. Cochran.

October, 1816.—Victor Du Pont, Peter Vandever, Joseph W. Cochran, John T. Cochran, Arnold S. Naudain, Andrew Gray, Samuel H. Black.

October, 1817.—Joseph Pierce, Isaac Hendrickson, Jesse Chandler, Henry Whitely, Charles Thomas, Jr., John T. Cochran, Arnold S. Naudain.

October, 1818.—Joseph Day, Isaac Hendrickson, Jesse Chandler, Henry Whitely, John Crow, John T. Cochran, John Crawford.

October, 1819.—Joseph W. Day, William P. Brubson, Nicholas G. Williamson, Henry Whitely, John Crow, Levi Clark, Alexander Crawford.

October, 1820.—William P. Brubson, Levi Clark, Alexander Crawford, John Crow, Benjamin H. Springer, Andrew Gray, Henry Whitely.

October, 1821.—William Seal, Jesse Chandler, John Harlan, Washington Rice, John Sutton, Alrich Ryland, William Wehler (2d).

October, 1822.—William Seal, Jesse Chandler, Andrew Reynolds, David Nivin, Samuel H. Black, George Clark, Richard E. Cochran.

October, 1823.—William F. Grubb, Josiah F. Clement, Andrew Gray, Benjamin Watson, Wm. Vandegrift, Levi Boulden, Richard E. Cochran.

October, 1824.—David Penny, Josiah F. Clement, Joseph England, John Crow, John Eaton, Samuel H. Black, Christopher Vandegrift.

October, 1825.—Joseph W. Day, William P. Brubson, Andrew Gray, James R. Black, John Higgins, Samuel H. Black, Arnold Naudain.

October, 1826.—Josiah F. Clement, John Erwin, Archibald Hamilton, Samuel H. Black, John Higgins, Alexander Crawford, Daniel Corbit.

October, 1827.—Harman Talley, William Seal, James Delaplaine, Benjamin Whitely, William T. Read, Daniel Newbold, Christopher Vandegrift.

October, 1828.—Harman Talley, Benjamin Chandler, Samuel Murphy, Benjamin Whitely, John Sutton, William T. Read, Charles H. Haughey.

October, 1830.—Harry Williamson, John Caulk, John Sutton, Charles H. Haughey, William McCaulley, Benjamin Whitely, William Kennedy.

October, 1831.—Harry Williamson, John Harlan, John Canik, John D. Dilworth, James Gardner, Thomas W. Handy, Dickinson Webster.

November, 1832.—Harry Williamson, William Herdman, John Caulk, George Springer, Dickinson Webster, John D. Dilworth, Christopher Brooks.

November, 1834.—George Lodge, William Booth, John W. Evans, Alexander M. Biddle, Thomas Deakyn, John Harlan, William Herdman.

November, 1836.—George Lodge, Archibald Hamilton, Abraham Boys, William Booth, John W. Evans, Alexander M. Biddle and Thomas Deakyn.

November, 1838.—Alexander M. Biddle, John D. Dilworth, William H. Rogers, Nathan Boulden, Andrew Kerr, William Hemphill Jones, Henry Williamson.

November, 1840.—Mahlon Betts, Samuel Barr, Alfred Francis, John Higgins, John Dale, Palmer Chamberlain, Robert M. Black.

November, 1842.—Harlan Cloud, John Harlan, William Booth, David C. Wilson, Andrew Kerr.

November, 1844.—William M. Day, Stephen M. Staples, Lewis Thompson, Samuel Burnham, John Allen, William Kennedy, Thomas Caulk.

November, 1846.—John W. Evans, William Smith, William M. Day, Henry Swayne, Lewis Thompson, John Allen, Levi G. Couch.

November, 1848.—Edward G. Bradford, Benjamin Caulk, Levi G. Couch, Edward T. Bellak, James L. Miles, Thomas M. Rodney, Elias S. Naudain.

November, 1850.—Aquila Derricks, William C. Lodge, Abraham Boys, Albert O. Newton, Samuel Jefferson, James B. Rogers, Nathan T. Boulden.

November, 1852.—James Delaplaine, Josiah H. Dixon, Alexander M. Biddle, Charles Gooding, Joshua S. Valentine, John A. Reynolds, Ephraim Beaton.

November, 1854.—David C. Wilson, Samuel Biddle, Jonathan Groves, Edward Shepperd, David McKee, James V. Moore, John J. Henry.

November, 1856.—William C. Lodge, Edward Sheppard, Francis D. Dunlap, Harlan Cloud, Charles Gooding, Thomas J. Foard, Bayman Deakyn.

November, 1858.—George W. Churchman, Franklin Q. Flian, Lewis Thompson, Charles H. Oldman, Jonathan L. Ellison, Thomas W. Belleville, John M. Naudain.

November, 1860.—George W. Churchman, Edward Betts, Abram Chandler, John F. Williamson, Anthony M. Higgins, Robert A. Cochran, Henry H. Appleton.

November, 1862.—John Hayes, John A. Duncan, Solomon M. Curtis, David W. Gemmill, Merritt H. Paxson, John Whitby, Levi W. Lattomus.

November, 1864.—John A. Duncan, James H. Hoffecker, John G. Jackson, John A. Alderdice, Merritt H. Paxson, Andrew Ellason, Elias N. Moore.

November, 1866.—John A. Alderdice, Samuel Bancroft, Jr., James Bradford, Charles Corbit, Andrew Ellason, Levi W. Lattomus, John Pilling.

November, 1868.—Lot Cloud, Dr. John A. Brown, Albert H. Silver, William Dean, George F. Brady, Joseph W. Vandegrift, Jacob Deakyn.

November, 1870.—Lot Cloud, J. Poulson Chandler, Aquila Derricks, Benjamin Caulk, Sewell C. Biggs, Albert O. Newton, Francis T. Perry.

November, 1872.—William Silver, Joshua Maria, Lewis Thompson, Joel Thompson, Jr., D. Brainerd Ferris, Theodore F. Clark, Joseph C. Hutchison.

November, 1874.—Samuel Hanby, Isaac C. Pyle, Thomas Bird, Thomas L. J. Baldwin, Thomas Holcomb, Henry A. Nowland, William P. Biggs.

November, 1876.—James W. Ware, John W. R. Kilgore, John E. Bartholomew, Thomas Holcomb, Thomas Bird, James Nicholson, Edwin R. Cochran.

November, 1878.—James W. Ware, Dr. Swithin Chandler, William Dean, John Doran, Giles Lambson, Edwin R. Cochran, William P. Biggs.

November, 1880.—Edward G. Bradford, Jr., Henry Swayne, David Eastburn, John Pilling, Andrew Ellason, George L. Townsend, Henry H. Woodkeeper.

November, 1882.—George H. Bates, Henry M. Barlow, Albert N. Sutton, Robert C. Justis, William Cooch, William A. Comegys, James V. Crawford.

November, 1884.—Henry M. Barlow, Enoch Moore, Abram Palmer, Theodore F. Armstrong, William A. Comegys, John T. Wilson, Richard Ferguson.

November, 1886.—James W. Ware, James A. Mulligan, George D. Medill, Douglas M. McCoy, Dr. Swithin Chandler, Elwood R. Norney, William F. Smalley.

Members of Assembly under Penn.

KENT COUNTY.

December 4, 1682.—Francis Whitwell, John Briggs.

1683.—John Briggs, Simon Irons, Thomas Haffeld, John Curtis, Robert Bedwell, William Winsmore, John Brinckloe, Daniel Brown, Benoni Bishop.

1684.—John Briggs, John Glover, John Curtis, William Sherwood, James Wells, William Berry.

1685.—John Briggs, John Curtis, Daniel Jones, Peter Groningdyke, William Berry, John Brinckloe.

1686.—John Brinckloe, John Bradshaw, John Walker, William Berry, Robert Bedwell, Richard Wilson.

1687.—John Brinckloe, William Berry, Richard Wilson, Thomas Penberton, William Freeland, Benoni Bishop.

1688.—John Brinckloe, John Betts, William Rodney, John Burton, Samuel Barber, John Richardson, Jr.

1689.—Daniel Jones, William Berry, William Manloe, John Walker, Peter Groningdyke, Daniel Brown.

1690.—John Barnes, John Betts, Daniel Brown, Es. Needham, Richard Curtis, William Freeland.

1692.—William Freeland, Daniel Jones, Simon Irons, John Barnes, George Manloe, William Manloe.

1694.—John Brinckloe, John Walker, William Manloe.

1694.—John Brinckloe, William Freeman, Richard Wilson.

1695.—John Betts, William Rodney, William Morton, Simon Irons, Daniel Brown, John Hilliard.

1696.—William Rodney, William Morton, Richard Wilson.

1697.—John Walker, Thomas Bedwell, Samuel Burberry, John Bradshaw.

1698.—Richard Wilson, Robert Edmonds, Henry Molleston, William Morton.

1699.—John Forster, Thomas Sharp, Henry Molleston, James Brown.

May, 1700.—William Morton, John Brinckloe, Richard Wilson, Gr. Jones, Arthur Meston, William Rodney.

October, 1700.—John Brinckloe, Richard Wilson, William Morton, Henry Molleston.

October, 1701.—William Rodney, John Brinckloe, William Morton and John Walker.

April 14, 1704.—William Rodney, John Brinckloe, William Morton and Arthur Meston.

Members of the State House of Representatives.—The

journal of the House of Representatives from 1776 to

¹ These were the last Representatives from the territories, as the then lower counties were separated in May following, and the first General Assembly met at New Castle May 22, 1704. No minutes of Council or Assembly are found from this time until Delaware became a State in 1776, except the members, who, August 1, 1771, chose delegates to the memorable convention at Carpenters' Hall at Philadelphia, whose names are here given: Charles Ridgely, William Killian, Caesar Rodney, chairman, and Thomas Collins.

1782 is not in the archives of the State, and the names of the members cannot be ascertained with accuracy.

KENT COUNTY.

October 21, 1782.—John Gordon, Charles Ridgely, Phillip Barratt, William Molleston, Edward White, Isaac Carty, John [John] Davis.
 October 22, 1784.—John Gordon, James Raymond, Charles Nixon, John Revell, Jacob Stout, Jennifer Taylor, Francis Many.
 October 22, 1785.—Charles Nixon, James Raymond, Allen McLane, John Revell, Mark McCall, John Patten, Jacob Emerson.
 October 24, 1786.—Mark McCall, John Gordon, Joshua Clayton, Jehu Davis, John Cook, Thomas Rodney, Richard Bassett.
 October 25, 1787.—James Raymond, John Gordon, Mark McCall, John Davis, John Revell, Thomas Rodney, John Vining.
 October 22, 1788.—John Gordon, James Raymond, George Truitt, Jehu Davis, Benjamin Coombe, John Vining, Rindon Bishop.
 October 22, 1790.—James Raymond, George Truitt, Joshua Fisher, Francis Many, Silas Snow, Edward White, Joseph Oliver.
 October 20, 1791.—George Truitt, Andrew Barratt, Francis Many, Stephen Lewis, Joseph Barker, Joseph Oliver, Allen McLane.
 October, 1792.—Nicholas Ridgely, Caleb Sipple, Stephen Lewis, Isaac Davis, John Lockwood.
 October, 1793.—John Lockwood, Caleb Sipple, Ebenezer Blackiston, Stephen Lewis, George Truitt, James Henry, William Warner.
 October, 1794.—Peter Lowber, William Adams, Philip Lewes, William Allehand, Presley Spruance, James Douglas, James Miller.
 October, 1795.—George Cummings, James Raymond, Stephen Lewis, Robert Clark, James Henry, William Sorden, Abraham Pierce.
 October, 1796.—James Raymond, Nicholas Ridgely, Manlove Emerson, William Warner, Stephen Lewis, William Sorden, William Morris.
 October, 1797.—Nicholas Ridgely, William Warner, Stephen Lewis, James Raymond, Manlove Emerson, Peter Caverly, Joseph Barker.
 October, 1798.—John Vining, William Warner, Stephen Lewis, Manlove Emerson, William Sorden, Joseph Barker, William Collins, Jr.
 October, 1799.—Henry Molleston, Nicholas Ridgely, Stephen Lewis, William Warner, William Sorden, James Henry, Manlove Emerson.
 October, 1800.—Henry Molleston, George Cummings, Nicholas Ridgely, William Warner, William Sorden, Manlove Emerson, Stephen Lewis.
 October, 1801.—Henry Molleston, Stephen Lewis, John Marim, Nicholas Ridgely, William Sorden, James Henry, William Warner.
 October, 1802.—Henry Molleston, Thomas Clayton, William Warner, Stephen Lewis, John Marim, William Sorden, James Henry.
 October, 1803.—Henry Molleston, John Marim, Thomas Clayton, James Henry, William Warner, Stephen Lewis, William Sorden.
 October, 1804.—Thomas Clayton, Stephen Lewis, John Marim, William Warner, Henry Molleston, William Sorden, James Henry.
 October, 1805.—Henry Molleston, Thomas Clayton, John Marim, William Warner, Robert Cook, William Hughlett, James Ralston.
 October, 1806.—Henry Molleston, Thomas Clayton, John Marim, William Warner, Robert Cook, James B. Ralston, William Hughlett.
 October, 1807.—James B. Ralston, Henry Molleston, John Pleasanton, Henry M. Ridgely, Stephen Lewis, John Adams, William Torbert.
 October, 1808.—Henry M. Ridgely, Stephen Lewis, James B. Ralston, John Marim, Nicholas Lockerman, Edward Joy, Stephen Paradise.
 October, 1809.—William Denny, John Marim, Stephen Paradise, Henry M. Ridgely, William Warner, John Williams, Stephen Lewis.
 January 9, 1810.—David Lockwood.
 October, 1810.—Thomas Clayton, William Denny, John Marim, Cornelius P. Comegys, John Clarke, John Williams, Stephen Lewis.
 October, 1811.—William Denny, John Marim, John Clarke, Samuel White, Cornelius P. Comegys, John Williams, James Fintswait.
 October, 1812.—Thomas Clayton, Jacob Stout, Cornelius P. Comegys, Samuel White, Robert Dill, John Williams, Luff Lewis.
 October, 1813.—Cornelius P. Comegys, Henry Molleston, Thomas Clayton, John Clarke, Jacob Stout, Luff Lewis, Spencer Williams.
 October, 1814.—John Pleasanton, Cornelius P. Comegys, John Clarke, Jonathan Jenkins, Isaac Lockwood, Spencer Williams, John Mitchell.
 October, 1815.—Henry M. Ridgely, John Cummins, Joseph G. Rowland, John Mitchell, Cornelius P. Comegys, John Clarke, Spencer Williams.
 October, 1816.—John Cummins, James Battell, Thomas Condy, Joseph G. Rowland, John Mitchell, Spencer Williams, John Wood.
 October, 1817.—John Cummins, Thomas Condy, Joseph G. Rowland, John Booth, Spencer Williams, Charles Polk, Charles Kimmey.
 October, 1818.—John Cummins, Joshua G. Brinckle, Martin W. Bates, Jonathan Jenkins, Jacob Boone, John Mitchell, John Booth.
 October, 1819.—John Cummins, Joshua G. Brinckle, Joshua H. Miffin, William K. Lockwood, Edward Fisher, Jacob Boone, John Booth.
 October, 1820.—John Cummins, Samuel Miffin, Thomas Condy, Joshua G. Brinckle, Major Townsend, Joseph G. Oliver, Benjamin Harrington.
 October, 1821.—Robert Register, Henry M. Ridgely, James B. Macomb, George Walker, Samuel Miffin, Samuel Warren, Sr., William Hopkins.
 October, 1822.—Presley Spruance, Jr., Elias Naudain, Andrew Calley, John Adams, John Brinckle, William Hopkins, Robert Register.

October, 1823.—John B. Savin, John Pleasanton, John M. Clayton, Samuel Miffin, Samuel Coombe, Luff Lewis, Charles Polk.
 October, 1824.—John Raymond, James Kimmey, Samuel Miffin, Samuel Coombe, Spencer Williams, John Booth, William Johnson.
 October, 1825.—Elias Naudain, Martin W. Bates, Thomas M. Stout, Samuel Warren, Sr., Joel Clements, John Brinckle, William Saulsbury.
 October, 1826.—Jacob Raymond, Robert Register, Henry M. Ridgely, Thomas M. Stout, John Clark, Martin W. Bates, Ignatius Taylor.
 October, 1827.—John Raymond, William W. Morris, Matthias Day, Samuel Virden, Peter L. Cooper, James P. Lofland, John Booth.
 October, 1829.—Simon Spearman, Charles Marim, Cornelius P. Comegys, Joel Clement, William Roe, Benjamin Potter, Thomas Simpson.
 October, 1830.—John Raymond, Thomas A. Reese, Charles Marim, William Huffington, Hunn Jenkins, Samuel Virden, John Booth.
 October, 1831.—Thomas A. Reese, Ayres Stockley, Charles Marim, William Huffington, Isaac Gruwell, John Booth, Peter F. Causey.
 November, 1832.—Thomas A. Reese, John Raymond, Charles Marim, Ignatius T. Cooper, Isaac Gruwell, Peter F. Causey, Manlove Johnson.
 November, 1834.—John Raymond, Charles Marim, Robert Frame, Joel Clements, Jacob Boone, Philip Fiddeman, Benjamin Harrington.
 November, 1836.—Thomas A. Reese, Charles Marim, William Nickerson, Peter L. Cooper, James S. Buckmaster, William Johnson, Charles F. Fleming.
 November, 1838.—Presley Spruance, Thomas A. Reese, John Frazier, Robert Frame, Henry Pratt, Samuel B. Cooper, Philip Fiddeman.
 November, 1840.—James D. Wilds, John Frazier, William Huffington, Samuel Virden, Joel Clements, Alexander Johnson, John A. Collins.
 November, 1842.—Robert Jones, James Knight, Joseph P. Comegys, Paris T. Carlisle, John Gruwell, Levin H. Adams, William Shaw.
 November, 1844.—Joseph Hefecker, William Temple, William Cowgill, George P. Fisher, John Gruwell, Shadrack Raughley, John W. Adkins.
 November, 1846.—William R. Caboon, John Woodall, Jun., William Nickerson, Thomas L. Temple, Henry W. McIlvaine, Thomas Lockwood, Thomas Wallace.
 November, 1848.—Daniel Cummins, Edward W. Wilson, Joseph P. Comegys, Paris T. Carlisle, Henry Taylor, James Pustles, John A. Collins.
 November, 1850.—Enoch Spruance, Francis B. Harper, Caleb Smithers, John G. Chambers, Benjamin Harrington, Nathaniel C. Powell, Capt. Elias Smithers.
 November, 1852.—Benjamin L. Collins, John G. Chambers, Paris T. Carlisle, Eli Saulsbury, Merritt Scotten, Manlove Hayes, William Thompson.
 November, 1854.—James W. Spruance, John Woodall, John W. Cullen, William Tomlinson, Thomas Draper, James B. B. Powell, John W. Smith.
 November, 1856.—George W. Cummins, John B. Penington, William Meredith, James Williams, Joseph Moore, William A. Atkinson, Bethuel Watson.
 November, 1858.—Jonathan Brown, Isaac Short, Caleb S. Pennewell, William Slaughter, John W. F. Jackson, John Harrington, Curtis S. Watson.
 November, 1860.—John A. Moore, Thomas Davis, Thomas Clements, Jr., Ambrose Broadway, William Virden, Henderson Collins, Jr., Charles Williamson.
 November, 1862.—Benjamin S. Goote, John H. Bowley, James Williams, John Slay, William B. Stubbs, Robert Raughley, Curtis S. Watson.
 November, 1864.—Henry C. Douglas, John C. Wilson, Henry Todd, William Dyer, Abner Harrington, Charles M. Adams, William D. Fowler.
 November, 1866.—Joseph Booth, Peter L. Cooper, William A. Polk, Henry Pratt, George A. Raymond, Elias S. Reed, James H. Smith.
 November, 1868.—William C. Jump, Benjamin F. Hamm, Thomas J. Marvel, Whiteley W. Meredith, Robert J. Reynolds, Henry C. Wolcott, James B. Mitchell.
 November, 1870.—Henry M. Howe, James L. Smith, John C. Carsona, Samuel B. Cooper, David Needles, Nimrod Harrington.
 November, 1872.—John Van Gaskin, J. Frank Wilds, Robert B. Wright, William B. Clough, Joseph Burchenal, William Sheldrake.
 November, 1874.—John M. Voshell, William B. Collins, J. Frank Wilds, Webster D. Learned, James H. Todd, William Broadway, Thomas C. Green.
 November, 1876.—Thomas K. Taylor, Andrew J. Wright, Jonathan Slaughter, Cornelius J. Hall, Jacob G. Brown, Wilbur H. Burnite, Garretson Saulsbury.
 November, 1878.—John E. Collins, Minos Conaway, Cornelius J. Hall, Peter M. Lindall, David Needles, John A. Savin, John W. Sharp.
 November, 1880.—Charles H. Register, John W. Graham, Abraham Moore, Amos C. Williams, Moses S. Van Burkalow, Alfred H. Cahall, Reynoar Williams.
 November, 1882.—James D. W. Temple, James T. Lowe, Thomas H. Denny, James Williams, Ezekiel C. Frazier, Robert Y. Watson, Benaiah L. Lewis.
 November, 1884.—Henry M. Howe, John F. Saulsbury, James Virden, Christian G. Brown, John H. Schabinger, Nicholas B. Johnson, William T. Watson.

1886.—John W. Taylor, Franklin Temple, John H. Jones, Philemon Scotten, John Harrington, William R. Allaband, Peter E. Lowber.

Members of Assembly under Penn.

SUMEX COUNTY.

1682.—William Clark, Luke Watson, Edward Southrin.
 1683.—Luke Watson, Alexander Draper, William Fritcher, Henry Bowman, Alexander Molestine, John Hill, Robert Bracey, John Kip-haven, Cornelius Verhoof.
 1684.—John Roads, Henry Bowman, Hercules Shepperd, Samuel Gray, William Emmett, Henry Stretcher.
 1685.—Henry Smith, William Carter, Robert Clifton, John Hill, Samuel Gray, Richard Law.
 1686.—Henry Bowman, Norton Claypoole, Henry Stretcher, John Vines, Albertus Jacobs, Samuel Gray.
 1687.—Luke Watson, Henry Smith, Henry Molestine, Henry Bowman, Samuel Gray, Henry Stretcher.
 1688.—Thomas Wynne, Henry Bowman, Henry Molestine, Thomas Price, John Symons, Albertus Jacobs.
 1689.—Baptist Newcombe, Samuel Gray, Robert Clifton, Henry Shepperd, Luke Watson, Jr., Jonathan Bailey.
 1690.—John Hill, Samuel Gray, Robert Clifton, Henry Smith, Baptist Newcombe, Thomas Branscom.
 1692.—William Clark, Robert Clifton, Baptist Newcombe, Luke Watson, Jr., Thomas Branscom, William Piles.
 1693.—Albertus Jacobs, Thomas Pemberton, Samuel Preston.
 1694.—Thomas Pemberton, Luke Watson, Roger Corbett.
 1695.—John Stockley, Thomas Oldman, Joseph Booth, Henry Molestine, James Peterkill, Jonathan Bailey.
 1696.—Thomas Pemberton, Roger Corbett, John Mires.
 1697.—Luke Watson, Thomas Oldman, Nehemiah Field, Thomas Fisher.
 1698.—Thomas Oldman, Jonathan Bailey, Luke Watson, Jr., Cornelius Wiltbank.
 1699.—William Piles, William Fisher, Nehemiah Field, William Dyer.
 May, 1700.—Joseph Booth, Thos. Pemberton, Luke Watson, Jr., Thos. Fisher, Arthur Van Kirk, Robert Burton.
 October, 1700.—John Hill, Thos. Pemberton, Luke Watson, Jr., Thos. Fenwick.
 October, 1701.—William Clark, Luke Watson, Jr., Samuel Preston, Jos. Booth.
 April 14, 1704.—John Hill, William Bogwell, Robert Burton, Richard Paynter.

Members of State House of Representatives.

SUMEX COUNTY.

October 21, 1782.—John Collins, Wm. Peery, Nathaniel Waples, Simon Kellock, David Hazzard, Wm. Jordan Hall, Chas. Polk.
 October 22, 1784.—Isaac Bradley, William Peery, James Douglas, Simon Kellock, Nathaniel Waples, Robert Houston, Geo. Mitchell.
 October 22, 1785.—John Tennent, Charles Polk, Rhoads Shankland, Geo. Mitchell, Nathaniel Hayes, Israel Holland, Wm. Moore.
 October 24, 1786.—Charles Polk, Rhoads Shankland, William Moore, Nathaniel Hays, Edward Dingle, Jeremiah Cannon, George Mitchell.
 October 24, 1787.—William Peery,¹ John Tennent, Nathaniel Waples, George Mitchell, Rhoads Shankland, Charles Polk, Nathaniel Hayes.
 January 10, 1788.—Rhoads Shankland, George Mitchell, Charles Polk, Jeremiah Cannon, Nathaniel Hayes, Hap Hazzard, William Masey.
 October 22, 1788.—Peter Robinson, Charles Polk, Isaac Cooper, Nathaniel Hayes, Jeremiah Cannon, John Collins, John Wise Bateson.
 October 24, 1790.—John W. Bateson, John Collins, Nathaniel Hayes, Jeremiah Cannon, Charles Polk, William Moore, Wingate Cannon.
 October 24, 1791.—John Collins, Daniel Rogers, Nathaniel Hayes, John W. Bateson, Isaac Draper, Jeremiah Cannon, Wingate Cannon.
 October, 1792.—Nathaniel Hayes, John W. Bateson, Woodman Stockley, Barclay Townsend, Hap Hazzard.
 October, 1793.—Nathaniel Hayes, Barclay Townsend, John W. Bateson, John Tennent, David Nutter, William Peery, Charles Polk.
 October, 1794.—David Nutter, William H. Wells, William Carlisle, John W. Bateson, Robert Burton, John Williams, William Peery.
 October, 1795.—William H. Wells, Robert Burton, William Carlisle, Nathaniel Hayes, Elisha Adams, Barclay Townsend, John W. Bateson.

¹ These are the last Representatives from the territories as the three lower counties were separated from Pennsylvania in May following, and the first General Assembly was held at New Castle, May 22, 1704. No minutes of the Council or Assembly have been found from that time until the three lower counties became the State of Delaware, in 1776, except the Assembly which, on August 1, 1774, elected delegates to the convention at Carpenters' Hall, at Philadelphia. The members from Sumex were:

Thomas Rodney, Levin Crapper, Ross Manlove, John Wiltbank, Stephen Townsend.

² The election of the members at this election was declared illegal November 7, 1787.

October, 1796.—David Owen, Robert Burton, William H. Wells, Samuel Paynter, Jr., Thomas Sorden, John Williams, Woodman Stockley.

October, 1797.—Thomas Robertson, William H. Wells, David Owens, Samuel Paynter, Jr., Thomas Sorden, Joshua Burton, Jesse Green.

October, 1798.—Samuel Paynter, Thomas Sorden, William H. Wells, Stephen Styer, Thomas Robertson, Joshua Burton, Isaac Beauchamp.

October, 1799.—Joshua Burton, Samuel Paynter, Stephen Styer, Jacob Wolfe, Elijah Adams, George Waller, Thomas Sorden.

October, 1800.—George Waller, Outerbridge Horsey, Peter Robinson, Elijah Adams, Jacob Wolfe, Armwell Long, Jesse Green.

October, 1801.—Caleb Rodney, Outerbridge Horsey, Peter Robinson, George Waller, Armwell Long, Jesse Green, Elijah Adams.

October, 1802.—Caleb Rodney, Outerbridge Horsey, Peter Robinson, George Waller, Armwell Long, Jesse Green, Thomas Laws.

October, 1803.—Jesse Green, Thomas Cooper, George Waller, Armwell Long, Thomas Laws, Caleb Rodney, Isaac Marshall.

October, 1804.—Thomas Laws, Edward Dingle, George Waller, Caleb Rodney, Isaac Marshall, Armwell Long, Thomas Cooper.

October, 1805.—Thomas Cooper, Edward Dingle, Jr., Jesse Green, Thomas Laws, George Waller, Isaac Marshall, Joshua Burton.

October, 1806.—Thomas Cooper, Edward Dingle, Jesse Green, Robert Hill, Joshua Burton, George Waller, Nathan Vickers.

October, 1807.—Thomas Cooper, Edward Dingle, Jesse Green, Nathan Vickers, Joshua Burton, Robert Hill, John Polk.

October, 1808.—Robert Hill, Solomon Moore, Nathaniel Mitchell, Joshua Burton, William Hazzard, Peter Robinson, Armwell Long.

October, 1809.—Peter Robinson, Joshua Burton, Robert Hill, John Wilson (farmer), Peter G. Wooten, Thomas W. Rogers, Ebe Walter.

October, 1810.—Solomon Moore, Nathan Vickers, Robert Hill, William H. Wells, Peter Robinson, John Carlisle, Joshua Burton.

October, 1811.—William H. Wells, Joshua Burton, Solomon Moore, Robert Hill, Nathan Vickers, Caleb Rodney, Ebe Walters.

October, 1812.—Caleb Rodney, Joshua Burton, Solomon Moore, Robert Hill, Nathan Vickers, Ebe Walter, Charles M. Cullen.

October, 1813.—Charles M. Cullen, Joshua Burton, Robert Hill, Solomon Moore, Nathan Vickers, Ebe Walter, Charles Polk.

October, 1814.—Charles M. Cullen, Robert Hill, Robert Wiltbank, Nathan Vickers, Ebe Walter, Charles Polk, Jr., Thomas Townsend.

October, 1815.—Charles M. Cullen, Robert Hill, Nathan Vickers, Ebe Walter, John Carlisle, William B. Cooper, Isiah Burton.

October, 1816.—Charles M. Cullen, William B. Cooper, Nathan Vickers, John Carlisle, Isiah Burton, David Smith, Solomon Evans.

October, 1817.—Peter Robinson, William Polk, Solomon Evans, David Smith, Isiah Burton, William W. Green, Nathan Vickers.

October, 1818.—Charles M. Cullen, Nathan Vickers, David Smith, Isiah Burton, William Polk, John Carlisle, John Derickson.

October, 1819.—Nathan Vickers, William H. Wells, Charles M. Cullen, David Smith, William Polk, John Carlisle, John Dirickson.

October, 1820.—John Robinson, Isiah Burton, John Dirickson, George Phillips, Isaac Cannon, John Wilson, Tighman Layton.

October, 1821.—Peter Robinson, Charles M. Cullen, Joshua Burton, David Smith, John Wilson, George Howard.

October, 1822.—Charles M. Cullen, Joshua Burton, Thomas Townsend, George Howard, John Robinson, William N. Polk, Purnal Tindall.

October, 1823.—Peter Robinson, Joshua Burton, Purnal Tindall, John Robinson, William N. Polk, George Howard, Spencer Phillips.

October, 1824.—Peter Robinson, Joshua Burton, Purnal Tindall, John Robinson, Spencer Phillips, George Truitt, Whiting Sandford.

October, 1825.—Francis Brown, Joshua Burton, Purnal Tindall, John Robinson, Spencer Phillips, George Truitt, Whiting Sandford.

October, 1826.—Joshua Burton, Francis Brown, John Wiltbank, Miles Tindall, Lawrence Riley, George Phillips, John Tennent.

October, 1827.—John Tennent, Caleb S. Layton, Kendall M. Lewis, Thomas Davis, John White, William Dunning, George Truitt.

October, 1829.—John Tennent, Thomas Davis, Kendall M. Lewis, Caleb S. Layton, Isaac W. Copes, Joshua Burton, Henry F. Rodney.

October, 1830.—Joshua Burton, Thomas Davis, Henry F. Rodney, Kendall M. Lewis, George Frame, George Hearn, Nicholas W. Adams.

October, 1831.—Thomas Davis, Shepard P. Houston, John Bennett, George Frame, George Hearn, James Barrett, Dr. John Gibbons.

November, 1832.—Thomas Davis, George Hearn, Thomas Jacobs, John H. Harris, William Harris, Nicholas W. Adams, Joshua Johnson.

November, 1834.—Thomas Davis, Kendall M. Lewis, William B. Cooper, Thos. Jacobs, Jas. Parker, Wm. D. Waples, Joshua Johnson.

November, 1836.—William D. Waples, Thomas Davis, William S. Hall, John P. Brinkloe, Stansbury Jacobs, Robert Houston, Jonathan Waller.

November, 1838.—John P. Brinkloe, James Hopkins, Robert Houston, Joseph W. Neal, Aaron Marshall, Jr., Richard Jefferson, Robert Hopkins.

November, 1840.—Gardner H. Wright, William Hill, Robert Houston, Aaron Marshall, Robert Waples, Richard Jefferson, John R. Sudler.

November, 1842.—Charles G. Ridgely, Benjamin Burton, William Hill, Richard Jefferson, John D. Rodney, Robert Waples, William O. Rodden.

November, 1844.—Samuel Paynter, William Porter, John West, Charles Wright, Joseph Smith Thomas Robinson, William Cannon.

November, 1846.—Peter Marsh, John W. Scribner, James F. Burton, John M. Phillips, William Cannon, Purnal Tatman, Jacob Bounds.

November, 1846.—Samuel D. Vaughan, William Tunnell, John Marshall, Philip C. Jones, John Martin, Nathaniel Tunnell.

November, 1850.—John W. Scribner, Peter Marsh, William D. Waples, Job Pride, Dr. John Marten, John Hosen, James Satterfield.

November, 1852.—James F. Burton, James F. Martin, John R. McFee, John Day, William W. Morgan, Benjamin Burton, Alfred Short.

November, 1854.—Charles Rickards, Asbury C. Pepper, Joseph P. H. Shipley, Robert G. Ellegood, Woolsey Burton, John S. Waples, Burton C. Prettyman.

November, 1856.—James Ponder, Thomas J. Cannon, Ebe, Walter, Dr. Hugh Martin, Thomas J. Phillips, Paynter Frame, John Marshall.

November, 1858.—Benjamin White, Thomas A. Jones, Loxley R. Jacobs, William H. Moore, Bumbred L. May, Alfred McIlvaine, John W. Walker.

November, 1860.—William H. Richards, Jonathan Moore, William S. Phillips, Lemuel W. Waples, Peter Caboon, James H. Boyce, Peter Robinson.

November, 1862.—Major W. Allen, William A. Scribner, John Sorden, Luther W. Fisher, William D. Waples, Isaac H. Bailey, George W. Horsey.

November, 1864.—William F. Causey, John Hickman, Shephard P. Houston, James Stuart, John Jones, Benjamin Hitch, Miles Memick.

November, 1866.—John S. Bacon, Robert H. Davis, Paynter Frame, John M. Houston, Joshua J. Johnson, Thomas A. Jones, William D. Waples.

November, 1868.—Isaac Conaway, Peter Robinson, Shepard P. Houston, Philip C. Mathews, John S. Bacon, John Hickman, William D. Tomlinson.

November, 1870.—William W. Morris, Jesse W. Robinson, John W. Short, Ebe W. Tunnell, Levin Hitch, Shepard P. Martin, Curtis A. Conaway.

November, 1872.—David H. Holland, Edward Jones, George M. Davis, James T. Thompson, John Hickman, Hugh Martin, Jesse B. Stevenson.

November, 1874.—Asa F. Conwell, George H. Phillips, Robert Lambdin, John W. Phillips, Joseph G. McNeal, Paynter Frame, Shepard P. Houston.

November, 1876.—David L. Mustard, Peter Robinson, Kendall Richards, John L. Thompson, William W. Morris, Hugh Martin, Miles Memick.

November, 1878.—Joshua Webb, Isaac N. Fooks, Shepard P. Houston, James Law, Eli S. Short, Jacob G. Cannon, Clement C. Hearn.

November, 1880.—William P. Jones, Peter Robinson, Philip C. Mathews, Joseph G. McNeal, Thomas N. Williams, Peter W. Tomlinson, Amos J. Stayton.

November, 1882.—George W. Risler, Thomas J. Perry, William A. Jacobs, Samuel H. Memick, Stansbury J. Wheatley, Thomas Dukes, James Rawlins.

November, 1884.—John O. Truitt, David H. Atkins, Jacob H. Adams, John Tatman, W. R. McCabe, Jacob W. Cannon, Joseph B. Hearn.

1886.—William R. McCabe, Thomas R. Wilson, William C. Rust, Lemuel W. Waples, R. W. Dasey, George W. Magee, William T. Perry.

Speakers of the State House of Representatives.

1777. Samuel West.
1782. Simon Kollock.
1784. Thomas Duff.
1786. John Cook.
1787. Thomas Rodney.
1788. Jehu Davis.
1790. Henry Latimer.
1791. Allen McLane.
1793. George Wilson.
1794. Stephen Lewis.
1795. Peter Lowber.
1796. Stephen Lewis.
1804. Jesse Green.
1806. Thomas Laws.
1807. William Warner.
1808. Stephen Lewis.
1811. Cornelius P. Comegys.
1816. Nathan Vickers.
1820. John Cummins.
1822. Alrich Ryland.
1823. George Clark.
1824. Joshua Burton.
1825. Arnold Naudain.
1831. Joshua Burton.
1832. Thomas Davis.
1833. John Raymond.

1835. William D. Waples.
1839. John P. Brinkloe.
1841. Robert Houston.
1843. William O. Redden.
1845. William Temple.
1847. Lewis Thompson.
1849. Daniel Cummins.
1851. Samuel Jefferson.
1853. John R. McFee.
1855. Samuel Biddle.
1857. George W. Cummins.
1859. John W. F. Jackson.
1861. John F. Williamson.
1863. John Sorden.
1865. Shephard P. Houston.
1867. William Polk.
1869. John Hickman.
1871. Sewell C. Biggs.
1873. Joseph Burchenal.
1875. Thomas Holcomb.
1877. Hugh Martin.
1879. Swithin Chandler.
1881. Reynear Williams.
1883. George H. Bates.
1885. William A. Comegys.
1887. William R. McCabe.

Clerks of the State Senate.

1776. Slatior Clay.
1777. Benjamin Vining.
1784. James Sykes.
1788. John Edmunds Clayton.

1792. James Battell.

1799. John Fisher.

1803. James Battell.

1808. George W. Sykes.

1810. John Harratt.

1812. Presley Allee.

1815. Alexander L. Hayes.

1816. John M. Clayton.

1818. Presley Allee.

1820. John M. Clayton.

1820. Presley Allee.

1823. William Huffington.

1824. Edward Fisher.

1824. Samuel M. Harrington.

1825. Edward Fisher.

1827. Henry Stout.

1828. Charles Marim.

1830. John B. Stont.

1832. James A. Sparks.

1833. William R. Morris.

1835. James H. M. Clayton.

1837. Joseph P. Comegys.

1843. George P. Fisher.

1845. Manlove Hayes, Jr.

1847. John C. Patterson.

1849. James R. Lofland.

1851. William G. Whitely.

1853. William Huffington.

1855. Saxe Gotha Laws.

1861. John L. Pratt.

1863. Edward L. Martin.

1865. Chas. P. Wetherby.

1867. Jas. L. Walcott.

1869. John C. Pennewell.

1871. J. R. Mitchell.

1873. E. O. Shakespeare.

1875. A. P. Robinson.

1877. Morris Taylor.

1879. Albert G. Osborne.

1881. Hiram T. Downing.

1883. Chas. W. Whitley.

1885. Chas. W. McFee.

1887. Benj. J. Moore.

Clerks of the State House of Representatives.

1778. James Booth.
1795. Robert Clark.
1796. James Sykes.
1797. John Caldwell.
1800. Thomas Clayton.
1803. John Caldwell.
1807. John Fisher.
1811. Molton C. Rogers.
1812. John Barratt.
1815. Joshua Gordon Brinkle.
1816. Alexander L. Hayes.
1820. John M. Clayton.
1823. Wm. P. Brobson.
1824. Kemp Roberts.
1825. John W. Ruth.
1832. Ignatius T. Cooper.
1833. Joshua G. Baker.
1837. Chas. D. Ridgely.
1839. Henry Todd.
1841. Joseph P. Comegys.
1843. John R. McFee.

1845. N. B. Smithers.
1849. Edward Gibbons.
1851. Dudley B. Tinker.
1853. Clayton C. Cowgil.
1855. James D. Prettyman.
1857. Chas. B. Lore.
1859. John B. Penington.
1861. Caleb R. Layton.
1863. John B. Penington.
1865. J. Frank Hazel.
1867. Ignatius C. Grubb.
1869. Benaiah Watson.
1871. John B. Penington.
1873. W. Flake Townsend.
1875. Wm. D. Hazel.
1877. Chas. H. B. Day.
1879. John F. Saulsbury.
1881. David T. Marvel.
1883. K. W. Waples.
1885. C. L. Williamson.
1887. Ezekiel T. Cooper.

Diplomatic Agents of the United States.

James A. Bayard.....February 19, 1801
Minister Plenipotentiary, France.¹
James A. Bayard.....April 17, 1813
Minister Plenipotentiary and Envoy Extraordinary.
Treaty of St. Petersburg.
James A. Bayard.....January 18, 1814
Minister Plenipotentiary and Envoy Extraordinary.
Treaty of Ghent
Cesar A. Rodney.....July 18, 1817
Appointed to visit Buenos Ayres and Montevideo for obtaining accurate information respecting the conflict between Spain and her colonies.
Cesar A. Rodney.....January 27, 1823
Minister Plenipotentiary, Buenos Ayres.²
Louis McLane.....April 18, 1829
Minister Plenipotentiary and Envoy Extraordinary, Great Britain.
Thomas M. Rodney.....May 24, 1842
Consul Matanzas.
William Penn Chandler.....February 20, 1845
Consul Puerto Cabello, Venezuela.
Louis McLane.....1845
Minister Plenipotentiary and Envoy Extraordinary, Great Britain.
Richard H. Bayard.....December 10, 1850
Charge-d'Affairs, Belgium.
Dr. Thomas Worrel.....Consul, Matanzas
Evan Young.....Consul, Matanzas
Hugh Martin.....1854
Consul, Matanzas.
George W. S. Nicholson.....1850
Charge-d'Affairs, Tunis.

¹ Did not serve.

² Died June 10, 1834.

| | |
|---|----------------|
| Enoch J. Smithers..... | 1867 |
| Consul, Scio. Consul, Smyrna. | |
| Consul Smyrna | 1868 |
| Consul Chinkiang, China..... | 1869 |
| Consul, Shanghai. Consul, Tientsin..... | 1887 |
| John J. Henry..... | March 11, 1863 |
| Consul-General. ¹ | |
| William W. Holden..... | 1866 |
| Minister Resident, San Salvador. | |
| Gen. Alfred T. A. Torbert..... | April 21, 1869 |
| Minister Resident, San Salvador. | |
| Consul-General, Havana..... | 1871 |
| Consul-General, Paris..... | 1873 |
| William J. Black..... | 1885 |
| Consul, Nuremberg. | |
| William Herbert, Jr..... | 1885 |
| United States Marshal, Peking. | |

CHAPTER XX.

INTERNAL IMPROVEMENTS.

NEITHER the Dutch nor the Swedes were road-builders,—they were hardly path-finders,—the water being their only medium of conveyance. The Swedes used boats. The roads were mere paths through the woods, made by the Indians. The Delaware River afforded communication with the settlements along its banks and was likewise the highway of the vessels that brought supplies and colonists from Europe. The settlement spread along its borders, extending but a very short distance back into the country, the river being the great and only thoroughfare, on the waters of which all transportation was carried on.

While the earlier records of the State show that the subject of public highways excited considerable interest among the inhabitants, it was not until 1671 that any practical movement was made with a view to securing convenient access to different portions of the State; nor is there any evidence that Indian trails or paths, peculiar to other sections of the country, existed in Delaware, for the probable reason that there were not any settlements of consequence on the eastern side of the Peninsula. It is probable, however, that after the erection of Fort Christina, on the Christiana Creek, a path was made thence to the falls of Brandywine—avoiding the marshes on the north side of the Christiana and along Shellpot—and up to Tinicum, which was the seat of government of the Swedes. For many years it is evident that the principal mode of travel was by water and the neighborhood of streams was the popular location for settlers. Subsequent to the capture of Fort Christina and Fort Trinity or Casimir, in 1655, the two were connected by a pathway.

On November 6, 1656, a public meeting was held at New Castle, at which the necessity of bridging the Kil running by the fort was discussed, and suitable action taken; and as a result, a bridge was probably built over Grane Udden,² with a pathway extending over

the marsh where the Broad Dyke was constructed later, and which is now the road to Wilmington. The present bridge over "the Dyke stream at the north end of the town of New Castle" was built by order of the Levy Court, June 4, 1811. The Kil above, on the river, was Strandwich, from which the settlement was called Swanwick.

In the spring of 1671 Captain John Carr, commander on the Delaware, submitted proposals to the Governor concerning "matters of New Castle and the plantations." Section IX. embodied a proposition from the residents of Maryland, adjacent to Delaware, to clear a road half-way between Augustus Herman's plantation and the town of New Castle. Replying to this, the Governor, on June 23d of the same year, ordered that "if those of Mary Land are willing to doe their parte, the officers at New Castle are hereby empowered to enjoyne ye inhabitants of Delaware likewise to cleare their proportion." This road, which was soon built, was the first across the Peninsula of which any mention is made.³

The next official action regarding public highways was taken at a session of court held in New Castle on May 13, 1675; the Governor ordered that roads should be located from place to place, and the court directed that "Whereas it is found that there is a great necessity for a good highway between this Towne and Oppoque-nomin creeke, the inhabitants of Oppoque-nomin Creeke, St. George's Creeke and precincts do wth the first convenience, between this and the last of February next, make and clear a good and passable highway, twelve foot broad, from the sd Oppoque-nomin to the Red Lyon." John Tarkington was appointed overseer and was authorized to order one from each family to work on the road, under a penalty of ten gilders; Casperus Hermans and Direk Laurens were appointed surveyors.

This road was doubtless not located, as the January term of court in 1679, re-issued the order of 1675, applying it to the inhabitants of the "towne of Swanwike, Crainehoeck and all those living on the South syde of Christina creek," and naming Johannes de Haes, overseer from New Castle to the furthestmost branch of Beaver Dams; "Hendrick Williams, overseer of the people of Swanwicke and Crainehoeck, to clear from said branch of Beaver Dams, a mile past Mr. Tom's run; John Ogle, overseer over the rest of people on this side of Christina, to begin from where Mr. Williams leaves off and to Red Lyon." The same court issued a general order providing for the establishment of passable roads from town to town, and instructing the magistrates to execute the provisions referring to new highways. These instructions not being carried out, the court in 1678 provided a penalty of a hog'shead of tobacco for non-performance of necessary work by the people when

of which were named 'Grane Udden' or 'Le Cap des Cruces.' 'Stanwich' or Baie de Rivage and 'Nein Cloeland.'"

¹ Resigned May 19, 1863.

² Vincent (page 264) says: "On the river shore of New Castle Hundred, between what is now the town of New Castle and the mouth of the Christiana, were six considerable streams probably made so by the influx of tide. These streams cut the ground up into necks or capes, the principal

³ Augustus Herman's plantation was the Bohemia Manor, and Johnson, in his "Cecil County History" says, "for many years after Herman's death the road was called the old man's path."

called upon by the overseers, in order to have them completed within fourteen days.

The court at Hoerekill, or the lower counties, was organized by order of the Governor in 1673. In 1680, in a petition to the Governor for the establishment of a court at St. Jones' Creek,¹ the inhabitants complained that at that time there were no properly located roads in that sections. The petition recited that "the great grievances, Hazzards and perills, both by land and water, that wee undergoe in goeing to the Whoorekill Court, nott only the distance beinge to some of us 50, some 60 miles, want of Comodacons of man or beast there, butt the impassable, dangerous waies by reason of perillous Creekes, which many tymes cannot bee past over by man or beast, the hazardous large marshes, and myreous and difficult branches which are past through to the said Court, which doth not onely putt us to great straits and jeopardy of our Lives, but hath and doth give great discouragement to others intendinge to seate in these upward parts from Maryland."²

• At the December term of court, 1679, regulations for public highways were made as follows: "The way to bee made clear of standing & living trees at least 10 foot broad; all stumps & shrubs to bee cloose cutt by ye ground; the trees markt yearly on both sydes; sufficient Bridges to bee made & kept over all marshy, swampy and difficult, dirty places, & what ever else shall be thought more necessary in & about ye highwayes aforesd." These roads were to be attended by the overseers between December and March under a penalty of £1000, and refusal on the part of inhabitants to assist them was to be visited by a fine of four hundred pounds of tobacco.

• On the same day the following road districts were laid out by the court:

"1st. The inhabitants of the South syde of the Appoquenomen and of Blackbird Creeke to bee in one Company, their parte, or Sheare, to Klear a highway from Appoquenomen to ye head of Ducke Creeke, or where else it shall be convenient, and to make a bridge over ye sd Ducke Creeke, if possible, fitt for horse and foot to pass over. That Company to have for overseer, Captain Untwell.

"2d. The inhabitants of ye northsyde of Appoquenomen, from ye head to ye Drayer's Creeke, to bee in one company, theire part, or Sheare, to bee to make ye way good from Appoquenomen to a cartway of Casparus Herman and alsoe from ye cartway of Appoquenomen, as farr as Maryland, — Boeloff Andries, Overseer.

¹ This was afterwards St. Jones County, and later Kent County.

² In Jasper Danker's and Peter Sluyter's journal of a tour in several of the American colonies, 1679-80, the writers describe some of the difficulties encountered on the earlier Delaware roads. Among other experiences related by them is this: "We succeeded, however, in crossing over (a creek) and had then to make our way through bushes by an untrodden path, going from one newly-marked tree to another. These marks are merely a piece cut out of the bark with an axe, about the height of a man's eyes from the ground; and by means of them the commonest roads are designated through all New Netherland and Maryland, but in consequence of the great number of roads so marked, and their running into and across each other, they are of little assistance, and often mislead. . . ." The next morning they attempted to retrace their step accompanied by a local guide. Of this experience they say: "But neither he nor we could follow the now marked trees in the morning light and we soon missed the way, and no wonder, for we now had the marks behind the trees. We went again through the thickets and bushes of the woods, to and fro, for full three hours without any prospect of getting out, and that within a distance of not over three-quarters of a mile. We struck a foot-path at last which led us to Bohemia Creek, the bottom appearing to be hard on this side and promising a good passage, but when we were in the middle of it we sank up to our knees in mud."

"3d. The Inhabitants from ye Drayer's Creeke, downewards and as far as St. George's to bee in one Company, their part or Sheare to be from ye Cartway of Casparus Herman to ye halfe bridge of St. George's, — Casparus Herman, Overseer.

"4th. The Inhabitants of St. George's and up as farr as Mr. Tom's Plantation to bee in one Company, their part or Sheare to be from ye halfe of St. George's Run to the Red Lion Run, — James Crawford, Overseer.

"5th. The Inhabitants of this towne of New Castle, from Mr. Tom's Plantation upwards Swanwike, Crainehook and all those on the southsyde of Cristine Creeke, to cleare from the Towne, downwards, as farr as the Red Lion, and from the Towne upwards to the house of Mr. Joan Paul Jacquett, in Cristina, and Mr. Ambros Backer is appointed overseer in ye room of Johannes De haes, and Mr. Hendrik Vander Burg, in ye room of Mr. Hendrik William over ye Towne People aforesnamed.

"6th. The Inhabitants of ye north side of Cristina Creeke, from ye White Clays faill to ye brandywine kill, will bee one Company. They to cleare from Cristina at Jan Staleop's, Round ye head of Cristina Creeke to this Towne, and a bridge over Cristina head, neare John Ogle's, — Mr. Abram Man, Overseer.

"7th. The Inhabitants between Brandywine Creeke and so as far as Olle fransen's, in the boght, to bee in one Company. They to cleare from ye going over of brandywine Creeke and also from Jacob Vandever's, up as far as Olle fransen's, in the boght aforesd, — Hans Petemen, Overseer."

• The Sixth District embraces the territory westward from New Castle into White Clay, Mill Creek and Christiana Hundreds.* John Ogle at this time resided at Swart Nutton Island, later known as Lewden Island in the Christiana River, New Castle Hundred, and he also owned large tracts of land in White Clay Creek Hundred, from White Clay Creek to Christiana Creek, embracing the site of Christiana Village and Ogletown. • The bridge ordered over "Christina head," which was the head of navigation of the stream, was the Christiana Bridge, around which later clustered the village. The road to Christiana Bridge is shown in a survey of 1684, on record in book of surveys in recorder's office.

• The Seventh District extended from Brandywine Creek to the "Boght." This was a tract of land of over seven hundred acres on the Delaware, extending back "into ye wood," and about two miles above Vertrecht Hook, or the Edgemoor of to-day, which was taken up by Olle Fransen and others before 1673. In the division of the jurisdiction of the courts, made November 12, 1678, the territory under the court of Upland began "from ye north side of Olle fransen's Creeke, othewayes called Steenkel, lying in the boght above ye Verdrietige Hoeck," and above. Steenkil was Stony Creek (now Quarryville Creek). This part of New Castle County remained under the jurisdiction of Upland Court until March 14, 1681, when Naaman's Creek was recognized as the boundary line and so remained until the circle was defined in 1701. The Upland Court, November 12, 1678, ordered "that every person should wthin the space of two monthes, as far as his land reaches, make good and passable wayes from neighbor to neighbor, wth bridges where itt needs to the end that neighbors on occasion may come together, those neglecting to forfeit twenty-five gilders." So it would appear that the road above the Boght was made and opened by owners of the land along the river. That it was built soon after the others were opened is shown from early surveys. The Upland Court appointed overseers of highways October 13, 1680, but no mention is made of districts or particular roads in the minutes of that court.

• The road from Christiana Ferry ran up along the west side of Brandywine and joined the road from Christiana Bridge a short distance from "the falls." The King's road (as both roads in a survey of 1684 are mentioned), after crossing at "the falls," turned southward and passed down the creek, tending away from it until it reached nearly to the marshes in the rear of Vandever's land, when it turned and ran northward along the Shellpot lands, Vertrecht Hook and the Boght to Naaman's Creek and to Upland.

• The foregoing is a record of all roads made or ordered up to the arrival of William Penn, in 1682. Penn ratified and continued the existing regulations, etc., in this connection. The court records for many years from December, 1681, were lost, and little information can be obtained on this subject for a corresponding period. In 1704, New Castle Common was surveyed, and in the report of the survey reference is made to "the rode that leads to Christina ferry," the "Maryland rode," and the "rode that leads to Christina Bridge."

• Mention incidentally of few roads is found prior to 1761. Settlers on the Welsh tract in 1723 petitioned the New Castle and Cecil County Courts for a road from the head of the Elk to Christina Bridge, whence a road led to New Castle. In 1746 an act of Assembly was passed "for repairing and amending highways, causeways, bridges, etc., within the Hundred of New Castle," the text of which is not given. This act was repealed in 1762. In 1752 an act of Assembly was made for erecting bridges and causeways, and laying out and maintaining highways, in which authority for the establishment of public roads was given to justices of the Quarter Sessions; King's highways to be forty feet wide, and other roads thirty, of which all but ten feet was to be cleared. From this date until 1793 the justices of the Quarter Sessions, with eight members of the grand jury, comprised a Levy Court, under whose authority many roads, not here mentioned, were established.¹

An act of Assembly of October 31, 1761, expressed a doubt as to the validity of certain highways established as King's roads under the act of 1752, and therefore legalized them as follows:

"In Kent County the roads beginning at a run near Duck Creek, or Salisburytown, that divides New Castle from Kent County, and running from thence the several courses of the said road through Dover town, until it comes to where the said road separates and divides, about one mile to the southward of the said town of Dover, near to the place where Thomas Nixon now dwells, and from thence the road known by the name of the Drawbridge, or Lower and Upper King's roads, shall severally continue their respective courses until they intersect each other near to a branch called the Three Runns, and from thence on the several courses thereof until it comes to the place where John Clowes, Jr., now dwells, and running from thence on the several courses thereof to the Court-House in the town of Lewes, and so along the bank of Lewes town creek to the Canary Kiln; and beginning at the said Court-House and running on the several courses to a mill known by the name of Frame's Saw-Mill, being at that time the utmost limits of the said County of Sussex, next to Maryland, thence running from the said mill on the several courses to the said John Clowes's, where the said King's roads meet, as is herein described, shall from henceforth be deemed, taken and allowed to be public or King's roads within the said counties."

An act of Assembly, November 2, 1762, provided

for a change in roads located in New Castle County, under the act of 1752, as follows:

"Beginning at the road leading from Chester at the line between the Counties of Chester and New Castle, and from thence over Naaman's Creek to Brandywine Creek; and from thence two public roads or highways shall be laid out, the one over Christina Ferry, near the house of Thomas Jacquet, and from thence to New Castle, and from thence to the inn called Red Lion, where John Rankin now dwells, and from the said Red Lion to the village called St. George's, and from thence to Appoquinimink Bridge, and from thence over Blackbird Bridge to the town of Salisbury, commonly called Duck Creek. And the other from Brandywine, aforesaid, to Wilmington, and from thence to Newport, and from thence to Christina Bridge, and from thence to the Red Lion aforesaid, and from thence to the inn now kept by Walter Crow, and from thence to the inn now kept by Joseph Jacquet, and from thence to Blackbird Bridge aforesaid: Also a public road or highway shall be laid out from New Castle to Christina Bridge, aforesaid."²

The roads were to be sixty feet wide, forty feet cleared, and David Finney, John Evans, William Williams, David Ferris and Empson Bird were appointed commissioners. A supplementary act in 1764 empowered John Stapler, Thomas Tobin, David Stewart, George Monroe and John McKinley or a majority of them, to review and change the road in consequence of public complaints. The act of 1762 was further supplemented in 1769 by a provision for the straightening of the road from White Clay Creek to Christina Creek.³ In 1772 the proprietors of the St. Georges' mill dam were granted an annuity of six pounds for keeping in repair the bridge on the St. Georges' and Appoquinomink bridge road, where it crossed their dam.

In 1791 the road from Brandywine Creek to Christina Ferry, interfering with the streets of the borough of Wilmington, was, by act, of Assembly made to conform to them, and Thomas Evans, Mathew Aiken, Robert Wallace, George Gillespie, Jr., and Jacob Ferris were named as a commission to effect the necessary change.

In 1793, under authority of the General Assembly, Jacob Broom, Wm. Cooch, Wm. Armor, James McCullough and Peter Williams were appointed a commission to locate a road from the Maryland Road where the Peach Bottom Ferry and Bald Friar Ferry Roads intersect, and thence in the most direct course consistent to the intersection of the Nottingham Road and the New London Road at New Ark, and thence to Christina Bridge.⁴

¹ In the division of what is now New Castle County into road districts, in 1679, a road was ordered from Christina Ferry, to connect with the road from Christina Bridge and through Brandywine Hundred to Upland; the road then laid out crossed the Brandywine at "the falls." The site of the ford is on the creek between Jackson and Van Buren Streets, above what was formerly Ashmond's Run. A bridge was built by Peter Vandever lower down the creek, near the present Eleventh Street Bridge. The Assembly, in 1764, authorized the erection of a bridge higher up, where the road provided for in the act of 1752 was intended to cross. The Vandever Bridge was ordered destroyed after the erection of the bridge on the site of the present Market Street Bridge, but it was in use in 1767. The act of 1764 necessitated a new bridge, which was in use until 1809, when the chain bridge was built. The latter was in use until 1822, when it was replaced by a wooden bridge, which was destroyed by a freshet in the spring of 1849. A new bridge was built and was in turn replaced by an iron one in April, 1857.

² This same act required mill owners, whose water-wheels were visible to passing horses, to erect a board cover over their water-wheels.

³ This was a continuation of a road previously authorized by the General Assembly of Maryland from the Susquehanna at Peach Bottom to the Delaware State line.

In 1796 the following act relating to the roads in Kent County was passed by the General Assembly :

"That the following roads in the said County of Kent shall be laid out and straightened, to wit: the road running from the line dividing New Castle County from Kent through Duck Creek Cross Roads, Dover, and Frederica to Milford; the road from Passey, one mile below Dover, to begin above or below Punchoon Run, as may be thought best, . . . running through Camden and Canterbury, and by Richard Delliner's, to the line dividing Sussex and Kent; the road leading from the line dividing this State from Maryland by Blackiston's Chapel, through Duck Creek Cross Roads to Holliday's Landing; the road leading from the last-mentioned line, by James Scotten's, through Lewis's Cross Roads, to Duck Creek Cross Roads; the road running from the last mentioned line, near the Cypress Branch, through Lewis's Cross Roads and by Peter Miller's Mill, to Dover; the road leading from the Horsehead over Carbine's Bridge to the East Landing by John Ham's to Dover; the road leading from Little Creek Landing to Dover; the road leading from the said line of Maryland, near Samuel Milbourne's by the Horsehead to Dover; the road leading from the last-mentioned line near the River Bridges, by Thomas's Chappel, through the White Oak Swamp to Dover; the road running from the said line by Thomas's Chappel through Camden to the Forrest Landing; the road running from the said line near Furlat's Mill to Camden; the road running from the said line near Samuel Willoughby's to Camden; the road running from the said line at or near Whiteleysburgh through Berry Town to Frederica; the road running from Berry Town to intersect the upper State road at or near Bedwell Maxwell's; the road running from the said line over Vincent's Causeway by Stephen Lewis's to Milford; the road running from the said line through land late of Jonathan Emerson, deceased, by Waitman Booth's, to Milford; the road running from the said line, across Gum Island by Major Anderson's, to Milford; the road running from the said line by Marshyhope Bridge to Milford; the road from Marshyhope Bridge near Punch Hall to Whiteleysburgh; the road from Marshyhope Bridge to intersect the upper State road near Jacob Bidle's."

Under the act there were appointed as commissioners, Timothy Cummins, George Wilson and Presley Spruance, for Duck Creek Hundred; John Marim, Gilbert Lemous and Joseph David, for Little Creek and Dover Hundred; John Lockwood, Warner Mifflin and William Berry, for Murderkill Hundred; Abner Dill, Joshua Laws and Major Anderson for Mispillion Hundred, and it was provided that the roads from New Castle County line through Duck Creek Cross Roads, Dover and Frederica to Milford; from Passey, one mile below Dover, running through Camden and Canterbury, to intersection of Berry Town Road near Bedwell Maxwell's; Berrytown Road to Whiteleysburgh; Upper State Road to Sussex County line be kept in repair by the county of Kent.

A supplementary act in 1797 provided for additional commissioners as follows: William Denny, John Cowgill and Daniel David for Duck Creek Hundred; Clayton Cowgill and Thomas Lamo for Little Creek and Dover Hundred; also that Worrell's Bridge, Martin's Bridge, Jones' Bridge and the bridges across the Murderkill Creek near Frederica be supported by the county of Kent, and that the Berrytown Road be continued to Joseph Barker's landing.

In 1796 there was also passed an act relating to the public roads in Sussex County, as follows:

"That the following roads in the said County of Sussex shall be laid out and straightened, to wit: a road to begin at Milford Bridge, and to run thence through Georgetown and Dagborough, until it intersects the west line that divides the said county of Sussex from the State of Maryland; a road to begin at Lewistown, and to run thence through Georgetown until it intersects the north line that divides the county aforesaid from Maryland; and a road to begin at Georgetown, and to run thence to the west line that divides the hundred of Little Creek in the said County from Maryland."

¹ The roads above given were all State roads, and were not subject to alteration by the Levy Courts of the different counties. They were to be forty feet wide, with thirty feet cleared.

Richard Hayes, Nathaniel Mitchell, Woolsey Burton, Rhodes Shankland, Issac Cooper, Thomas Laws and Abraham Harris, Jr., were appointed commissioners.

TURNPIKES.—If the people of Delaware were poor in the matter of ordinary roads, they were afterwards compensated by a number of excellent turnpikes, which were begun with enthusiasm, built with energy and operated satisfactorily. The earlier part of the present century was particularly an age of artificial highways. The pioneer was the Gap and Newport Turnpike. It was a continuation of the turnpike established by the State of Pennsylvania under an act of Assembly, April 7, 1807, from the Philadelphia and Lancaster pike, in Lancaster County, near the Gap tavern, to the navigable waters of the Delaware River at Christiana, or Newport on Christiana Creek. The Pennsylvania act was made to take effect when the Delaware Legislature should authorize the construction of a like artificial road from the State line. The Delaware Legislature accordingly passed an act January 30, 1808, authorizing the commissioners named in the act of Pennsylvania to open subscription books at New Castle and Newport, and to incorporate under the title of The president, managers and Company of the Gap and Newport Turnpike Company. The road was to be not exceeding one hundred feet in width, twenty feet to be "an artificial road bedded with road-stone, gravel, clay or other proper material, compacted together a sufficient depth to make a solid foundation, and faced with clay, gravel or stone, in such manner as to secure a firm and even surface, rising toward the middle by a gradual arch." Persons going to and from public worship and funerals were exempted from toll. There was also a provision for the purchase of the road by the State. The turnpike was completed and used for many years, but there is very little of its history to be found.

Immediately after the passage of the Gap and Newport bill the incorporation of the Wilmington Turnpike Company was authorized by the General Assembly for the purpose of making and operating a turnpike from Wilmington to the Pennsylvania line or to connect with the Gap and Newport pike. The provisions of the two bills, and, in fact, all the turnpike acts were identical. The commissioners appointed under the Wilmington Turnpike Company bill were James Bryon, John Warner, Jacob Broom, James Lea and William Poole, who were authorized to sell two hundred shares of stock at ten dollars per share. The company was organized October 23d, 1809, with Jacob Broom, president; John Torbert, secretary and treasurer; James Brobson, Joseph Robinson, Samuel Stroud, James Canby, Joseph Grubb and John Torbert, managers. Work on the road was begun soon after and in August, 1812, the Governor appointed John Stockton, Allen McLane and George Monro to examine the road, but these three being stockholders were succeeded September 8th, by Pat-

rick O. Flynn, John Patterson and Matthew Kean, who, as commissioners, reported on October 5th, that four and one-half miles of the pike were completed and this much of it was thereupon formally licensed by the Governor and put into operation. The building of the road was continued under Thomas Maguire, contractor, and completed on December 25th, 1817, and a month later, upon a favorable report from Benjamin Ferris, Ashton Richardson and John Dixon, commissioners, the Governor licensed the final section of one mile and fifty-eight perches. The total cost of building and equipping the road was \$39,549.97. It extended from the borough line of Wilmington, through Christiana Hundred to a point near the centre of Mill Creek Hundred where it joined the Gap road and is now known as the Lancaster Pike. The company operated the road until 1877, when it was abandoned and its charter repealed by act of assembly. The road was then divided between Wilmington, Christiana and Mill Creek Hundreds and it passed under the control of the levy court. The officers of the turnpike company from its organization were:

PRESIDENTS.

Dec. 21, 1809. Jacob Broom.
Jan. 5, 1818. Joseph Bailey.
Jan., 1811. Robert Porter.
Jan., 1812. James Canby.
Jan. 2, 1854. Samuel Canby.
Jan., 1861. Cyrus Pyle.
Jan., 1866. John R. Tatem.

SECRETARIES AND TREASURERS.

John Torbet.
Jan., 1811. George Jones.
Jan., 1838. W. A. Mendenhall.
Jan., 1840. Matthew Kean.
Jan., 1859. John P. McLean.
Jan., 1866. Samuel Smith.

The New Castle and Frenchtown Turnpike Company was chartered by the General Assembly of Delaware, January 24, 1809, to build a road from New Castle to the State Line, *en route* to Frenchtown, on Elk River, in Cecil County, Maryland, subject to a similar charter from the Legislature of the latter State; the road to be completed in three years. George Read, James Riddle, Kensey Johns, James McCalmont and Jesse Higgins, were appointed commissioners to secure subscribers. The road was not completed within the specified period, and it probably would never have been finished had not the subject received a new impetus, by the proposed establishment of Steamboat communication between Baltimore and Frenchtown, which was ultimately done and on June 21, 1813, "the 'Chesapeake,' the first steamboat on the bay," made the initial trip. The time for building the turnpike was on January 28, 1813, extended to ten years, and Levi Boulden, Samuel H. Black, James Stewart Peter Williams, John Crow and Oliver R. Howell, were designated additional commissioners. Additional stock was subscribed and the road was built from Clark's corner, now Hare's corner to Frenchtown.¹

On July 1, 1814, John Caldwell, James Stroud and James Bundley, commissioners to view the completed portion of the road, reported three miles finished and it was licensed to that extent. In April, 1817, seven

miles and one hundred and forty-two perches additional were licensed.²

Subsequently a regular line of steamboats was put into operation between Elkton and Baltimore, connecting with the turnpike at Frenchtown, and this led to the location of a tramway and subsequently a steam railway adjoining the bed of the turnpike which was operated until 1853, when it was abandoned, it having in the meantime been absorbed by the Philadelphia, Wilmington and Baltimore Railroad Company. The bed of that pike ultimately reverted to former owners. This company and the New Castle company were merged in one after the use of steam was adopted.

The New Castle Turnpike Company was chartered by the General Assembly January 30, 1811, for the purpose of building a turnpike from New Castle to Clarke's Corner, now Hare's Corner, with authority to use the New Castle and Red Lion State road to its intersection with the Wilmington Bridge road at Clarke's Corner. The act empowered the New Castle and Frenchtown Turnpike Co. to buy the road at cost within seven years. The commissioners under the charter were Kensey Johns, James Rogers, James R. Black, John Crow and Benjamin Marley. An organization meeting was held on April 8, 1811, at the house of John Crow, in New Castle, and Kensey Johns was elected president; John Janvier, treasurer; James Rogers, secretary, and John Crow, Charles Thomas, Benjamin Marley and Richard Sexton, managers. John Crow and Richard Sexton were appointed a committee to estimate cost of building the road, and they reported, April 23, that they had found a quantity of gravel on the shore of the Delaware, near the mouth of Mill Creek, and also on the farm of George Read, where there was plenty of field stone. Work on the pike was commenced August 1, 1811, near the intersection of Delaware and Union Streets in New Castle, and a toll house was located, in November, in the centre of the pike about fifteen feet from the northwest side of Union Street. One mile was completed and opened March 13, 1812. Christopher Zimmerman was appointed toll keeper at \$150 per year. The use of the road was granted to the New Castle and Frenchtown stage line for \$100 per annum. The road was completed to Clarke's Corner on January 8, 1813. Lankford Herring was appointed toll keeper at New Castle February 6, 1813. In 1814 the company was authorized to macadamize the Newport road from the intersection of the turnpike to the southern abutment of the Newport Bridge; Richard Sexton was the contractor and the Newport pike was completed in October 1817 and continued in use for many years. On author-

² Among other items in the schedule of tolls was this provision: "For every cart or wagon, the breadth of the wheels of which shall be more than seven inches, and not more than ten inches or being of the breadth of seven inches and shall roll more than ten inches, two cents for each horse drawing the same; for every cart or wagon, the breadth of the wheels of which shall be more than ten inches and not exceeding twelve inches or being ten inches shall roll more than fifteen, one cent and a half for each horse drawing the same; and for any such carriage the breadth of the wheels of which be more than twelve inches, one cent for each horse drawing the same.

¹ That portion of the road from New Castle to Clarke's corner had previously been built by the New Castle Turnpike Company which was chartered in 1811.

ity of the General Assembly of February 7, 1829, the company constructed a railroad along the line of the pike, and operated it.

The road from New Castle to Clarke's Corner has long been abandoned as a toll-road, but is still in use. Among the officers of the New Castle Turnpike Company were:

| PRESIDENTS. | SECRETARY. |
|--------------------------------------|-------------------------------------|
| April 8, 1811. Kensey Johns. | April, 1811. John Crow. |
| Oct. 5, 1814. Nicholas Van Dyke. | Nov. 10, 1826. Cornelius D. Blaney. |
| August 14, 1815. Kensey Johns. | TREASURERS. |
| March 17, 1818. Charles Thomas. | April 8, 1811. John Janvier. |
| March 13, 1820. Dr. Henry Colesbury. | March 24, 1814. James Couper, Jr. |
| Nov. 10, 1826. James R. Black. | |

The Wilmington and Kennet Turnpike Company was incorporated January 21, 1811, to build a road from Wilmington to a point at or near the house of Charles Twaddle, at Centreville, on the Pennsylvania State line, with a provision giving Christiana Hundred the right to purchase the proposed pike after 1820 and make it a free road. The commissioners under the act were Patrick O. Flynn, John Wilson, Captain James Jeffries, Joshua Wollaston, James M. Brown, Joseph Robertson, Edward Gilpin, John Hiron, Caleb Kirk and John Hedrick, who were authorized, in 1812, to extend the turnpike from the line of the borough of Wilmington until it shall intersect Chestnut Street and thence along Chestnut Street to Market Street. On October 8, 1812, John Way, Nicholas G. Williamson and Daniel Lowber, on behalf of the Governor, approved of four miles of the road and it was licensed. The remainder was approved January 13, 1813, by a committee consisting of John Way, Nicholas G. Williamson and Robert Porter, and was also licensed.

The Wilmington and Great Valley Turnpike Company was incorporated January 23, 1811, to build and operate a turnpike from or near the borough of Wilmington on the east side of Brandywine Creek through West Chester to the turnpike roads in the Great Valley, Pennsylvania. The route was along the line of the old Concord road, and the project was animated by local sentiment, as set forth in the preamble of the Act of Assembly:

"Whereas, it appears that some of the public roads in New Castle county have become impassable in rainy seasons by which the beasts of burden have been greatly increased to carry a scanty supply of such articles as the farmer must sell, and which are indispensably necessary unto mechanics and others, whereby the expenses of every citizen are much enlarged, and the spirit for improvement, which is so much wanted to put the farms in a proper state of cultivation and to promote the extension of manufactures is daily depressed, that the intercourse between Wilmington and the Great Valley has suffered for many years and at present languishes so much as to become deeply injurious and sensibly felt by the public."

The commissioners to superintend the construction were Joseph Tatnall, Samuel Canby, Albanus C. Logan, John Way, William Tally, Samuel Love and William Young. A clause in the act awarded Brandywine Hundred the option of purchase within three years. In 1813 Joseph Tatnall, president, announced two and a half miles completed. Patrick Flynn, Caleb Kirk and James Brinkley reported favorably February 24, 1818, and this portion of the road was licensed. The remainder was licensed the same year

on the recommendation of James Brinkley, Caleb Kirk and John Hiron.

The Wilmington & Philadelphia Turnpike Company was chartered February 1st, 1813, to construct a road from the east side of the Brandywine Bridge, Wilmington, to the Pennsylvania state line, toward Philadelphia.¹

The commissioners appointed were, General Thomas Robinson, John Bellack, James Grubb, John Elliott, Edward Tatnall, Adam Williamson, William Hemphill and Thomas Smith. Three and three-quarter miles of the pike were finished east from Wilmington in 1816. The remainder was completed and licensed in January, 1823, on recommendation of George Springer, John Tweed and James Thompson. The officers of the company from 1836 to date, were:

| PRESIDENT: | Jan. 1850. Edward Tatnall. |
|---------------------------|------------------------------|
| 1836. John Elliot. | Jan. 1879. George A. Elliot. |
| Jan. 1849. Samuel Hillis. | TREASURER: |
| Jan. 1871. William Canby. | 1813. Joseph Grubb. |
| SECRETARY: | 1817. Edward Tatnall. |
| 1836. Samuel Wollaston. | 1842. Joseph Tatnall. |

The New Castle & White Clay Hundred Turnpike Company was incorporated February 1st, 1813. The pike proposed by it was from New Castle Turnpike, in New Castle Hundred, to the Maryland line, via. Christiana Bridge and Newark. John Hindman, Henry Whitely, David Niven, George R. Massey, John Crow and Charles Thomas were appointed commissioners, but the road was never built.

The Wilmington & Christiana Turnpike Company was chartered in 1815, and Wm. Robinson was chosen president; Joseph Robinson, secretary and treasurer. The road was partially completed and opened prior to 1821, when one hundred and sixty shares of stock were sold, and the work of construction finished. The officers since 1848, were: President, Eli Hillis; 1852, John R. Latimer; 1865, Henry G. Banning; 1866, William P. Richardson. Secretary and Treasurer: 1848, Ashton Richardson; 1852, Joseph Bringhurst; 1880, John R. Bringhurst.

In January, 1816, an act of incorporation was passed, providing for a turnpike from the village of Stanton to Newark, "ending in the limits thereof, near Holtzbacker's gate, and from the western extremity of the village of Newark, beginning near Pritchard's tavern, to the Maryland line, in the direction of Rock Run, on the Susquehanna." The commissioners were, Andrew Gray, Andrew Reynolds, James Collins, Francis O. Daniel, Hugh Gemmill, Henry Whitely, John Herdman, James Price and John McCalmont. A supplementary act of February 7th, 1817, provided that when ten or more persons subscribed for five hundred shares, at \$25 per share, the company may organize and build the road.

FERRIES—As public roads preceded the artificial turnpikes of late days, so the primitive ferries were

¹ The main line of this route was laid out first in 1679, re-laid to nearly the present course in 1764, and was known as the King's Road. The stone-arched bridge across Naaman's Creek had been built by the Levy Court Commissioners, in 1802, and upon the completion of the road was leased by the Levy Court to the Turnpike Company.

the forerunners of the drawbridges of the last century and for maintaining the facilities for transporting man and beast over dangerous streams. The ferrymen were granted the necessary land and protected by law from competition. The first record of a ferry is found in the York records, October, 1669, in a land patent from Governor Francis Lovelace to Robert Jones. A copy of the original being appended as follows.

"Whereas there is a certain small parcell of land in Christeen Kill, at Delaware, where formerly ye flort stood, wch lyes undisposed of & it lying neare to ye water syde where is a convenient place to keep a ferry for ye gen^{al} good of ye Inhabitants in that Ryver, ye wch Robert Jones doth undertake to maintaine wth a sufficient Boate for ye same if it may be graunted him as is recomended to by ye officers at Delaware, for an Encouragment to any such undertaking as may tend to ye publike good know yee, &c., with a clause, that whosoever hath ye Land shall uphold ye ferry or be obliged to keep a boate for that purpose, he or they taking some reasonable satisfaction for ye ferriage & Quilt Rent, 1 bushel. The Patent dated 1st of October, 1669."

The court at New Castle, on January 6, 1680, directed the clerk to draw up regulations for "a ferry to be kept at Cristina," but there is not any record of the clerk having done so. On October 16, 1684, "a complaint was exhibited in Court for want of a ferry over Christeen and Brandywine Creek, ye judges order the Court to speedy care about it, y^t it may be forthwith done." And this seems to have resulted in the court ordering, two months later "yt if the owners of ye land on this side of Christeen Creek doe not speedily keep a ferry, that upon their refusall anny other person may have ye benefit."

The land on the south side of Christiana creek belonged to Jean Paul Jacquet, who was vice-director, under Stuyvesant, in 1656. He took charge of the ferry, but at the succeeding term of court, January 20, 1685, "Upon the Petition of Jan Paul Jacquet to be discharged from ye trouble of keeping a ferry, the Court order that Charles Pickering and George More consider of ye most convenient Place, with ye least damage to ye owners of ye Land, for ye keeping a ferry over Christina Creek, and to make report at ye next Court." This committee reported "y^t ye fittest place to keep a ferry on Christina Creek is on ye south side," and April 23, 1685,

"Upon ye petition of Daniel Smith to erect a ferre at Christina Creek, ye Court, having tendered the first offer to John Jacquet, Senior, ye owner of ye land, according to law, and he Refusing, ye Court order ye Petitioner to erect a ferre at ye sd Creek, and order ye Land Limited by ye Law for ye accommodation of a ferre, to be Layd out by ye Surveyor at ye appointment of James Wallains and Peter Alrichs, to ye Least damage to ye owner of ye Land, and best accommodation of ye ferre yt possibly may be, ye sd Daniel Smith being ordered to Pay one bushell of wheat pr year, as a rent to ye owner of ye sd Land."

Accordingly, Daniel Smith was appointed ferryman. This ferry was continued, and in 1764 an act was passed regulating the ferry over Christina Creek and the bridge over the Brandywine.

On October 26, 1790, the court was petitioned to make the ferries across the Christina at Newport and Wilmington free. In January, 1791, Peter Jacquet, Jr.,¹ asked for an increase of the ferriage rates established by law, and for the privilege of keeping the ferry on both sides of the creek.

¹ This was Captain Peter Jacquet, who resided in the mansion house, on the east side of Christiana Creek, on the land now owned by the Diamond State Iron Company.

An act of Assembly, February 8, 1794, instructed the keepers of the ferry over Christiana Creek to provide wharves and landings on both sides, and good substantial boats, and to make rates of ferriage. On January 21, 1797, Jacob Broom, Major Peter Jacquet and William Stidham were appointed commissioners by law to build wharves, landings and boats, rent or lease the ferry, keep it in repair and regulate its operation. Samuel Burns was keeper of the ferry. He was succeeded the following May by Thomas Frieday. According to the report of this commission made May 15, 1800, the cost of the improvement was as follows:

| | |
|---|-------------|
| " Andrew Conarroe, for Wharf, and filling..... | \$2702.30 |
| Neil Campbell, for filling Wharf on north side of Creek.. | 80.00 |
| George Miller, for two Boats, &c | 413.28 |
| John Marshall, for two Battenx..... | 40.60 |
| James McCullough, for Smith work | 349.72 |
| Richard Sexton, for Carpenter work of house on north side..... | 51.07 |
| Benjamin Yarnall, for Smith work..... | 14.35 |
| Isaac Hendrickson, for Lumber..... | 66.10 |
| Robert Sawyer, for Smith work | 30.38 |
| Peter Jacquet, for boat, before the second new one could be procured..... | 66.67 |
| do, for Gravel to fill Wharf..... | 66.00 |
| Thomas Magen's Wharf | 25.09 |
| To Sundry small amounts in 14 bills..... | 102.10 |
| | <hr/> |
| | \$4019.97 |
| Commissioners allowance 5 pr. ct..... | 200.00 |
| | <hr/> |
| Total amount..... | \$4220.06 " |

The ferry was leased to Caleb P. Bennett for seven months, at the rate of \$250 per year, and at the end of that term for \$300 per year.

In May, 1798, the old ferry over Christiana Creek and the old road were the subjects of public complaint, and the necessity of a road from Newport to Christiana Creek, to a proposed new ferry to New Castle, was urged, and Moses McKnight, James Robinson, Charles Springer, William Foulk and Robert Phillips were appointed to view and, if necessary, lay out the road. They did both and reported May 9, 1799, when Richard Mahon plotted it. The commissioners of the ferry in 1800 were Samuel P. Moore, John Bird and Jacob Alrich; in 1801, Wm. Poole, John Bird and John Way; 1804 and 1805, Samuel P. Moore, Abraham Eves and Hezekiah Niles. .

In 1803 the Levy Court appropriated \$200 to build a new flat for the lower ferry over Christiana Creek, and in 1807-8, John McClary and William Young were lessees of the lower ferry.²

In January, 1807, the Legislature chartered a company to erect a draw-bridge over Christiana Creek at Wilmington, and open a road thence through Holland's Creek Marsh to the fast land, near the house of Major Peter Jacquet, to intersect the road leading from the ferry over the river below Wilmington to the town of New Castle. In March, 1808, the County Court ordered the new bridge opened to the public, and the ferry property sold.³

² By this is meant the lower of the two boats in the same locality.

³ The ferry-house on the south side of the ferry was the mansion house of Captain Peter Jacquet, and stood on a slight elevation in the yard of the present Christiana Hoteling-Mills, where the cellar excava-

The Brandywine ferry receives mention first in an order of the New Castle County Court, in May, 1675, to the effect "that a ferry-boat bee maintained and kept att the ffalls at the west syde of this River, a horse and a man to pay for passage 2 gilders, a man without a horse ten styvers."¹

In 1684 a complaint was made of the want of a ferry over Christiansa and Brandywine Creeks. In 1689, Cornelius Empson was authorized to erect a ferry over the Brandywine Creek. While little is known of a ferry on the Brandywine, excepting their use when bridges were being built, many references are made to the "old ford" and "fording-place," which was at the foot of Adams Street. In a deed of 1727 the ford and the ford road are both mentioned, as is also the ferry and ferry road, the ferry being designated at what is now the north end of French Street. On September 6, 1729, Governor Gordon, of Pennsylvania, met at "Brandywine ferry" with the county magistrates in a case concerning property of the Swedes' Church. A deed of October 25, 1766, spoke of a lot on the south side of French Street, on the Brandywine, as "the old ferry place." The bridge over the Brandywine was built the year previous on about the present site under the act of 1762.

In a petition for the continuance of a road, about 1786, from the Brandywine bridge at the head of Market Street down the north side of the creek, past "the four lower mills on that side of the creek," to the creek, "it being in the same place and on the same ground where the publick road anciently went, while the publick ferry was kept at this place."

The court records of September 2, 1696 have the following record concerning a ferry over the Indian River, which is in Sussex County.

"Peter Whipples acquainted the Court of the conveniency of a ferry from his house over the Indian or South River for ye mutuall comodacon correspondency of the Inhabitants of this county with those of the province of Maryland and desires yt himselfe solely amongst his neighborhood may be appointed to keep the same and that ye Crt would Please either out of the Public Charge to allow him yearly for his Labour and Trouble therein, or — some certain rates that he shall take of persons for them and their horses Transient. The Ct thinks fit to grant that he alone thereabouts keep ye said ferry and that he be paid for setting over to or frow of a man and horse (viat.) Ten pence for a man and Ten pence for a horse, so much forward and so much backward and yt he provide a good conveniency for ye safe passage or ferryage both for man and beast. And all other persons, his neighbours, are hereby forbidden (upon hire or pay) to ferry any persons or horses over ye said ferry."²

tion is still to be seen. The ferry-house on the north side, also a tavern, stood on the grounds of the present Diamond State Iron Company. In 1807 it was kept by John McClary, and the jury met there when awarding damages for the road and bridge then building over Christiansa Creek and the Holland Marsh.

¹ This location was, without doubt, on the Brandywine, below the first fall, which was between Jackson and Van Buren Streets, and above what was formerly known as Ashmond's Run.

² Peter Whipples began the purchase of land on Indian River in 1692 and on Sept. 3, 1693, bought a tract called "Warwick," at which place he lived and where the ferry was established. The road from Lewistown, which was the principal settlement at the time, led across the river at this place and in later years came also from the upper part of the State and both roads united at St. George's chapel. The site of the old ferry is at what is still known as the "Old Ferry Landing," a narrow place in the river and to which the old road led. It was on the tract "Warwick," and the present name is used for the farm and mansion of old time. In later years, a ferry was established higher up the river, below Swan Creek. The name of Ferryman Billy Burton is still remembered as the one who was wont to carry "over to and frow of a man or horse," at this ferry.

The New Castle and Salem Ferry was an important institution to the people of New Jersey, who, in early days, voted at New Castle, worshipped at Craine Hook and the Old Swedes' Church, and were, for many years, under the jurisdiction of the court at New Castle. The earliest public record of a ferry across the Delaware is found in Governor Keith's answer to a petition of Weasel Alrichs, July 25, 1724:

"That the Ferry between New Castle and Salem, over the River Delaware, is very irregularly kept and not well attended, so that Passengers are frequently delayed and hindered in passing the said River on their lawful occasions, and that he is willing to keep the said Ferry as may be most convenient for the transportation of Horses, Cattle, Goods or Passengers, and to provide necessary boats and flats for the said service and submit to such Regulations as by the Laws or ordinances of the Government of our said Counties already are or hereafter shall be made for well-managing of the said Ferry, hath prayed our Letters Patent to him and his heirs for the sole benefit of keeping the said Ferry from City of New Castle in the Government of our said Counties to the Town of Salem in our Province of New Jersey, and for one mile above or one mile below either the said City or Towne under the regulations aforesaid.

"Know ye that wee, taking the Premises into our Royal Consideration, and being desirous to Render the Passage of all our loving subjects, who may have occasion to be transported over the said River Delaware from the City of New Castle to the Town of Salem, more safe, easy and commodious, and also to encourage the said Weasel Alrichs for his expense and trouble in providing suitable flats and boats for the said service,

"Have, of our Special Grace, Certain Knowledge, Mere Motion, for us and our successors, given, granted, Ratified and confirmed, and by these presents do give, grant, Ratify and confirm unto the sd Weasel Alrich and his heirs the sole keeping of the said Ferry from the City of New Castle in the Government of our Counties of New Castle, Kent and Sussex upon Delaware, over the said River Delaware to the town of Salem in our province of New Jersey and for one mile above and for one mile below either of the said City or Town."

Michael King, who lived in New Castle and was in the Revolutionary War, obtained a charter at one time to operate this ferry, and later George Monro, who died about 1800, also controlled it.

A ferry was established by act of Legislature, January 21, 1801, over the Delaware at New Castle, at the brick house, southeast corner Harmony and Front Streets, and wharf commonly called "The Old Ferry," and James McCalmont, owner of the house, was given exclusive right to operate it for twenty-one years, which term was, in 1811, extended until 1832. About 1820 the ferry-right was sold to William Callahan, upon whose death his son, James Callahan, succeeded him, and retained it as late as 1835. In later years the ferry was known as "Craven's Ferry," that being the name of the man who had charge of it on the Jersey side.³

An effort was made in 1783 to establish a ferry at Thoroughfare Neck, but without success.

On February 2, 1793, a private act of the General Assembly granted to Betty and Isaac Cannon the sole and exclusive right, for fourteen years, of maintaining a ferry over the river Nanticoke in Sussex County, to be known as Cannon's Ferry. It was renewed for fourteen years in 1807 and, on the death of Betty Cannon, in 1815, it reverted to her sons, Isaac and Jacob. At their death, in April and May, respectively, 1843, Jacob Nicholson succeeded them.⁴

³ The old ferry-house stood on the river, at the upper end of Front Street, where the coal office is now. Dr. James McCalmont lived for many years in the old Tile House.

⁴ Nicholson operated it but a short time. In 1883 the county estab-

A ferry was established at Newport prior to 1790, in charge of Thomas Duff. An effort was made to start another in the same vicinity, against which a protest prevailed for several years; but the movement was finally successful, and the General Assembly authorized the Newport Ferry by act of January 21, 1800. William Armor, John Crow and William Aull were appointed commissioners, and the ferry was maintained until the incorporation of the Newport Bridge Company and the building of a draw-bridge under act of Assembly, February 3, 1813, when it was abandoned. The several commissioners of the ferry were,—in 1800, John Crow, William Aull, William Armor; 1803-04, John Crow, David McCalmont, Jacob Robinson; 1806, John Crow, Zachariah Derrickson, David McCalmont; 1808-10, John Crow, Zachariah Derrickson, John Lynam; and the bridge commissioners were John Caldwell, James Stroud, George Read, Kensey Johns and John Crow.

The Seaford Ferry was the result of a petition to the General Assembly by the people of that village in 1807. An act was passed January 27th, appointing Richard Lawrence, John Rust, Sr., and John Hooper, proprietors, with exclusive rights. The ferry was established and operated by them for many years, and they sold it ultimately to Captain Hugh Martin, who continued it until the Seaford Bridge Company in 1832 built a draw-bridge near the ferry site, when it was abandoned. Captain Martin purchased the bridge and bridge property April 8, 1843, under authority of the General Assembly, and in 1865 the county bought it and made it a free bridge.

TRANSPORTATION.—The transportation of mails and passengers was unknown among the earliest settlers, because, perhaps, there were neither mails nor passengers; letters were carried by travelers or traders, or by messengers specially trusted with them. It was not until population had widened and extended from the river-banks that any regular conveyance of letters was necessary. The weekly post-routes between Philadelphia, Chester, New Castle and other settlements, established by William Penn, in 1683, are the commencement of the public mail facilities of Delaware. In July of that year, Henry Waldy, of Tacony, was given authority to conduct the service and to supply passengers with horses from Philadelphia to New Castle. The rates were to be: From Trenton to New Castle, seven pence; from Philadelphia to New Castle, four pence; and to Maryland, six pence. This post went once a week, and was to be fully published "on the meeting-house door and other public places."

On the 17th of February, 1691, King William and Queen Mary granted to Thomas Neale, for twenty years, power and authority to establish a postal system in America. Under this grant a general post-office was established in the colonies. The advance

of the post-office, however, was slow. In December, 1717, Jonathan Dickinson, of Philadelphia, wrote to a correspondent: "We have settled a post from Virginia and Maryland unto us, and goes through all our northern colonies, whereby advices from Boston unto Williamsburg, in Virginia, is completed in four weeks, from March to December, and in double that time in the other months of the year." In 1757 the mail to Annapolis, Md., from Philadelphia, ran once in two weeks in summer, and once a month in winter, *via* New Castle, to the Western Shore and back to the Eastern Shore.

The stages to Baltimore from Philadelphia went by way of boat to New Castle, and across the country to the head of the Elk River, from which water conveyance was taken, partly by way of Chesapeake Bay, to Baltimore. In 1757, a line was first set up between Philadelphia and Annapolis, Md., by John Hughes & Co. Stage-boats left Floyd's Wharf, Philadelphia, and sailed down to a point opposite Reedy Island, at Cornelius Carty's, where a wagon attended and proceeded to Fredericktown, from which a stage-boat went to Annapolis. The Rev. Andrew Burnaby, who traveled through North America in 1759 and 1760, left Annapolis on the 13th of June, 1759, for Fredericktown, upon the Sassafras River, in a schooner, and was greatly pleased with the scenery of the bay, and with "innumerable porpoises playing about the bows of the ship." At Fredericktown he hired an Italian chaise, with a servant and horse to attend him as far as Philadelphia. They went to New Castle, which is thirty-two miles, and thence, by the way of Wilmington, Chester and Darby, to Philadelphia, ferrying across the Schuylkill about three miles below Philadelphia, probably at Penrose Ferry.

The usual route to Baltimore from Philadelphia, after the Revolution, in spring, summer and fall, was by stage-boat to New Castle, thence by stage over the peninsula to Elk River, and thence by boat to Baltimore.¹ In 1796 a daily stage ran to Wilmington and Baltimore from Philadelphia once a week. The following description of the traveling in those days is from the *American Annual Register* of January 19, 1797: "The Roads from Philadelphia to Baltimore exhibit, for the greater part of the way, an aspect of savage desolation. Chasms to the depth of six, eight, or ten feet occur at numerous intervals. A stage-coach which left Philadelphia on the 5th of February, 1796, took five days to go to Baltimore. The weather for the first four days was good. The roads are in a fearful condition. Coaches are overturned, passengers killed and horses destroyed by the overwork put upon them. In winter sometimes no stage sets out for two weeks."

A comparison of the present route of travel through Delaware with that of the earlier part of the present century is decidedly interesting. In 1802 S. S. Moore

lished a ferry there. Residents of Delaware are ferried over free; others pay a small toll.

¹ This stage route was established by Joseph Tatlow, and ran from New Castle to Frenchtown, nearly on the line of the New Castle and Frenchtown Turnpike.

and T. W. Jones issued "The Traveler's Directory," giving the route from Philadelphia to Baltimore, with short descriptions of localities, and maps of that portion of the State. From this it is seen that the traveler proceeded from Philadelphia by way of Gray's Ferry, Cobb's Creek, Darby, Ridley Creek, Chester and Marcus Hook to Wilmington. Leaving Marcus



THE OLD STAGE COACH.

Hook, "a small town at the confluence of Marcus Hook Creek with the Delaware, where vessels are defended from the ice in winter by long wharves or piers made for that purpose," this work says:

"The State of Delaware commences between the nineteenth and twentieth mile. . . . The road continues entirely across this State through New Castle County, which is bounded on the north by Pennsylvania, on the east by Delaware River, on the south by Kent County and on the west by the State of Maryland. It is a populous and well-cultivated county, being well watered by the Brandywine and Christiana Creeks and their branches; on which are four paper-mills, two snuff-mills, one sitting-mill and sixty for grinding grain. The northern parts of this county are hilly and broken ground."

Naaman's Creek¹ was about twenty and a quarter miles from Philadelphia and was bridged. The tolls here were:

| | cents. |
|--|--------|
| Coach and four horses..... | 25 |
| Coach and two horses..... | 12½ |
| Stage Waggon..... | 18 |
| Horse and chair, sulkey or sleigh..... | 6 |
| Man and horse..... | 3 |

Grubb's Landing was nearly opposite the twenty-second mile-stone, on the bank of the Delaware, and "some distance on the eastern side of the road."

The Brandywine Creek, over which was a stone bridge, was at the twenty seventh mile. "A fine range of mills, perhaps the completest in the United States, are just below the bridge. In the neighborhood of Wilmington are thirteen, which are capable of grinding four hundred thousand bushels of grain in a year. The navigation of this creek admits vessels carrying one thousand bushels of wheat to come close up to these mills to load and unload."

"Wilmington," the directory said, "stands at the twenty-eighth mile from Philadelphia, though it may

¹ Naaman's Creek, now Claymont, received its original name from a chief and orator of the Minquas tribe of Indians. He figured prominently as a friend of the whites, particularly during Rysdugh's presence in Delaware, in the seventeenth century. Campanius says that ten Indian sachems, among them Naaman, attended a treaty meeting on Tinicum Island, July 17, 1654. The Indians complained that the Swedes had brought much evil upon them, and many Indians had died since the Swedes came into the country. The Indians were given presents, and Naaman pledged the friendship of the Indians anew to the Swedes, and said if any persons should contemplate harm to the Indians, the Swedes should warn them of it, and in the event of any plot against the Swedes, the Indians would send them word, even if it were in the middle of the night. This pledge was never violated, and the treaty made at that time was never abrogated.

be said to extend from the Brandywine to Christiana Creek. It is a port of entry and a post-town, and is the most considerable and flourishing in the State. It is regularly laid out; the principal part of it is on the north side of Christiana Creek, upon the southwest side of a hill that rises one hundred and nine feet above the tide. On the west side of the town is a stone building, one hundred and twenty feet by forty, three stories high, for the reception of paupers, and a large stone edifice built for an academy. A bolting cloth manufactory and a distillery are carried on here. The public buildings are, besides those already mentioned, a town hall, two market-houses, two Presbyterian Churches, one for Swedes, one for Baptists and one for Methodists. About the year 1736 this place was first built, and in a few years was incorporated. Its officers are two burgesses, six assistants and two constables. The Delaware Bank is established here, and has greatly aided the commerce of this town and the adjacent country."

Newport was near the thirty-second mile-stone, on the north side of Christiana Creek, in a pleasant situation, and had a considerable trade with Philadelphia in flour. Stanton was thirty-four miles from Philadelphia, within the forks of White and Red Clay Creeks, and "a place of little note." In its neighborhood were some good flour-mills.

Christiana Bridge was thirty-seven and one-quarter miles from Philadelphia and nine and one-quarter from Wilmington, situated on Christiana Creek at the head of navigation. "It is the principal carrying-place between the waters of the Chesapeake & Delaware, and has a considerable trade with Philadelphia in flour."

Iron Hill, forty-two and one-half miles from Philadelphia, abounded in iron ore. The State of Maryland began about forty-four and three-quarters miles from Philadelphia, and thence the road passed through Elkton, Northeast, Charlestown, Principio Creek, Havre de Grace, Harford or Bush Town, Abingdon, Joppa, crossing the Little and Big Gunpowder and entering Baltimore at Fell's Point. The rates of ferriage over the Susquehanna at Havre de Grace were,—

| | |
|------------------------------------|--------|
| Coach, etc., with four horses..... | \$2.00 |
| Coach with two horses..... | 1.67 |
| Phaeton with two horses..... | 1.50 |
| Horse and chair or sulkey..... | .50 |
| Man and horse..... | .25 |
| Loaded waggon and four horses..... | 1.50 |
| Empty waggon and four horses..... | 1.25 |
| Cart and two horses..... | .50 |

In 1826 General Bernard, Capt. Poussin, of the Engineer Corps, and a number of Maryland gentlemen, invited by the Postmaster General, began the survey of a new mail route between Philadelphia and the national capital. Messrs. Gilpin, Cooch and Torbert, of this State, accompanied the party through Delaware.

As early as 1774 a line of sailing packets, now known as Bush's Daily Steam Freight Line, was established between Philadelphia and Wilmington.

Another packet line between the same points was established in 1776, and is now known as Warner's Philadelphia and Wilmington Propeller Line. The Ericsson line of steam propellers, between Philadelphia and Baltimore, by way of the Chesapeake and Delaware Canal, was chartered on February 25, 1844, as the Baltimore and Philadelphia Steamboat Company. A line of steamboats was run over the route by private firms for several years before the formation of the present company.

CANALS.—The advantages to be derived from water communication between the Delaware and Chesapeake were discussed more than two hundred years ago. In Danker's and Sluyter's journal of a trip through Delaware and Maryland, in 1679-80, after reference to a "cart-road from Apoquemene, a small village situated upon a creek, to Bohemia Creek or River," near the residence of Augustine Herman, the pioneer engineer and surveyor of that section, the writers say:

"Upon this road the goods which go from the South (Delaware) River to Maryland by land are carried, and also those which pass inland from Maryland to South River, because these two creeks,—namely, the Apoquemene and the Bohemia—one running up from Maryland and the other from the Delaware River, as the English call the South River, come to an end close to each other, and perhaps shoot by each other, although they are not navigable so far; but are navigable for eight miles,—that is, two Dutch miles, of fifteen to a degree. When the Dutch governed the country the distance was less,—namely, six miles. The digging of a canal through was then talked of, the land being so low, which would have afforded great convenience for trade on the South River, seeing that they would have come from Maryland to buy all they had need of, and would have been able to transport their tobacco more easily to that river than to the great Bay of Virginia, as they would now have to do for a large part of Maryland. Besides, the cheap market of the Hollanders in the South River would have drawn more trade; and if the people of Maryland had goods to ship on their own account they would do it sooner and more readily—as well as more conveniently—in the South River than in the great bay, and therefore would have chosen this route, the more so because so many of their goods, perhaps, would, for various reasons, be shipped to Holland as to England. But as this is a subject of greater importance than it seems upon the first view, it is well to consider whether it should not be brought to the attention of higher authorities than particular Governors. What is now done by land, in carts, might then be done by water for a distance of more than six hundred miles."¹

In 1767 or 1768 Thomas Gilpin, with the assistance of some gentlemen, made a number of surveys and estimates for a canal from Duck Creek to the head of Chester, which he then owned, and where he occasionally resided.

The subject was again suggested in December, 1785, by the State of Maryland, which invited the concurrence of Delaware and Pennsylvania in a plan for a canal between the Chesapeake and the Delaware. Mr. Madison,² speaking of this subject, said: "If that is done Delaware and Pennsylvania will wish the same compliment paid to their neighbors." Nothing, however, was done in the matter, although, from time to time, a number of routes were surveyed and estimated from

the head of Chester, Bohemia and Elk Rivers and from Red Lion Creek to Back Creek. On December 7, 1799, the Maryland General Assembly chartered a company by the name of the Chesapeake and Delaware Canal Company, with five hundred thousand dollars capital stock, at two hundred dollars per share, and appointed a number of commissioners with authority to co-operate with the Delaware and Pennsylvania authorities in cutting a canal between the Chesapeake Bay and the Delaware River, and to open subscription books. The act, however, was not to take effect until the Legislature of Pennsylvania should declare the Susquehanna River a highway and authorize the removal of obstructions from it not later than March, 1800.

On the second Monday in May, 1803, the organization of the company was completed at Wilmington by the election of Wm. Tilghman, J. C. Fisher, George Fox, Joshua Gilpin, of Pennsylvania; Mr. Tatnall, Mr. Johns and James A. Bayard, of Delaware; and Messrs. Chew, Gale and Adlum, of Maryland, as president and directors. Messrs. Benjamin H. Latrobe, Cornelius Howard, of Maryland, and Mr. Thompson, of Pennsylvania, were appointed engineers and surveyors, and Mr. Blaney, of New Castle, was afterwards added. After numerous surveys, the route via Elk River was adopted.

The work was begun May 2, 1804, and a large sum of money was expended. Nothing practical was accomplished until September, 1821, when the Philadelphia Philosophical Society appointed a committee to examine and report upon the measures taken to build the canal. In 1823 the Delaware Legislature appropriated \$25,000 for the use of the canal company and the same year the Pennsylvania General Assembly renewed the charter of the Philadelphia Bank for fifteen years, on condition that the bank should subscribe \$100,000 to the "Delaware and Chesapeake Canal Company." In the spring of 1823, an active effort was made in Philadelphia to raise sufficient money to complete the canal, and it was estimated that \$700,000 would be required for that purpose. During the winter of 1824-25, 600 men were kept constantly employed and the following spring the force was doubled, and it was expected that the canal would be completed in two years. In October, 1825, the work was suspended, in consequence of a dispute with John Randel, Jr.,³ one of the contractors. In December, 1825, 1500 men were employed in completing the canal. In 1826 the Delaware terminus of the canal was called Delaware City and an evidence of the public confidence in the success of the enterprise is shown in the fact that the building of a "town" was commenced and a large lot of ground sold at the

¹ Memoirs of Long Island Historical Society, vol. I., p. 209. On February 3, 1786, the General Assembly passed an act appointing Thomas Collins and Silas Snow, of Kent County, and Marinas Haughey, of New Castle County, commissioners to lay out and cut a canal across three points of a marsh on Main Duck Creek, between Eagle's Nest Landing and the head of tide-water, so as to improve the navigation of Main Duck Creek.

² James Madison was present at a meeting of scientists, held in the old academy on Market Street, Wilmington, in 1786. Among others in attendance were Benjamin Franklin, Dr. Rittenhouse and Benjamin Rush.

³ Mr. Randel sued the company for relieving him of his contract to build the canal, and secured a verdict for \$226,885.74. Mr. Randel claimed that this suit ruined him. A controversy arising afterwards, both parties endeavored to collect the tolls on the canal. The suit lasted for ten years. It went through the Supreme Court of the United States, after being passed upon by the Court of Appeals of Delaware, and was finally reconciled, in 1836, by action of the General Assembly of Delaware.

rate of \$4356 per acre. In February, 1826, the force on the canal was increased to 2500 men, and later to 2600. In August, 1826, the company borrowed \$350,000, at 3½ per cent. The same month a specimen of amber was found in the deep cut of the canal. In October, 1826, the bridge over the canal, at Buck Tavern, this State, was finished. It was 225 feet long and 90 feet high. In 1827 an additional loan of \$200,000 was floated without difficulty. Early in November, 1828, water was admitted for eight miles into the canal from the Delaware and the canal was completed, excepting a link of a fourth-mile, about four miles from the Maryland end. The canal was completed and opened informally on July 4, 1829, with the attendance of military from Baltimore, but an imposing programme was necessarily omitted owing to a severe rain-storm. The canal was not put into general use, however, for some time. In September, 1829, barges were allowed to pass through regularly, and on the 28th of the same month the first schooner made the passage.

On Saturday, October 17, 1829, the canal was formally opened and was made the occasion of much rejoicing. There were many excursionists present, including two military companies from Philadelphia. The United States schooner "Ranger," lying at St. George's lock, fired several salutes, and the Boston brig "Sciot," gayly decorated, was stationed at Summit Bridge, from which place national salutes were given. Three steamboats were necessary to convey the Philadelphia party; among them the "William Penn" made her first trip. President Andrew Jackson was invited to be present, but sent a letter of regret. An appropriate address was made by Mr. Biddle, of Philadelphia. The actual cost of the canal was \$2,201,864, and the tolls soon amounted to \$100 per day. In February, 1831, the tolls were \$1800 to \$2600 per week. During the year ending June 1, 1834, the canal was considerably damaged, and the receipts fell off \$7000, owing to the navigation being suspended. In 1834 the "affairs of the company were embarrassed." Afterwards it recuperated and flourished. For many years it has been used daily by the Ericsson Philadelphia Steamboat Line and the New York and Baltimore Transportation Company's propellers in addition to the usual traffic.

THE PHILADELPHIA, WILMINGTON AND BALTIMORE RAILROAD COMPANY was originally four separate and distinct corporations—being formed of the Baltimore and Port Deposit, the Delaware and Maryland, the Wilmington and Susquehanna and the Philadelphia and Delaware County Companies.

The Baltimore and Port Deposit Railroad Company was organized under a charter from the General Assembly of Maryland, March 5, 1832 (capital stock, one million of dollars), to construct a railroad from the city of Baltimore to the Susquehanna River. The incorporators were Albert Constable, John W. Thomas, Granville S. Townsend, Henry S. Stiles, Frederick Dawson, William H. Freeman, Peter Neff

and Job Smith. The preliminary organization was effected in 1833, stock more than sufficient to complete the road was subscribed, and a survey was made, but nothing further was accomplished until 1835, when a reorganization took place, with E. L. Finley as president, and the work of construction began at once. Mr. Finley resigned October 12, 1835, and was succeeded by Roswell L. Colt, who held the office about a month and was succeeded by Lewis Brantz. All of these presidents were citizens of Baltimore.

The Delaware and Maryland Railroad Company was chartered, also by the General Assembly of Maryland, March 14, 1832 (capital stock, three millions of dollars), to construct a road from the Maryland and Delaware line to the Susquehanna River. This company organized at Elkton, April 18, 1835, with Mathew Newkirk, of Philadelphia, president. The road was begun in June of the same year, and April 18, 1836, the company united with the Wilmington and Susquehanna Railroad Company.

The Wilmington and Susquehanna Railroad Company was chartered by the Delaware General Assembly, January 18, 1832, with \$400,000 in capital stock, to build a railroad from the Pennsylvania line through Wilmington to the Maryland line. The first meeting of the Wilmington and Susquehanna Company was held in Wilmington, November 29, 1834, and in a short time a preliminary survey and estimate were ordered, toward the cost of which the city of Wilmington appropriated \$300. February 13, 1835, the committee having in charge the matter of survey recommended the building of the road, in connection with the Delaware and Maryland Railroad, to Charlestown, which was regarded as especially advantageous as a terminus. A report of the survey by William Strickland was submitted, showing that the proposed twenty-seven miles would approximate \$525,000 in cost. The subscription to the stock was immediately begun,¹ and the company organized permanently on April 2, 1835, with James Canby, of Wilmington, as president. Ground for the new road was broken near Wilmington, June 27, 1835, with imposing ceremonies, including a procession and the turning of sod by Governor Caleb P. Bennett, the veteran of 1776. The attendance included State officials, officers of the company and many distinguished guests. The work of construction was then prosecuted with energy, and in December the best locomotive to be obtained in England was ordered from Liverpool. At the same time other locomotives were ordered from G. W. Whistler, of Lowell, Massachusetts, and M. W. Baldwin, of Philadelphia, with a view of obtaining the best results from active competition. The American locomotives proved so far superior to the one imported that no other orders were sent abroad for rolling stock. On May 5, 1837,

¹ The portion of the stock allotted to Wilmington was taken in a half-hour; and the *Philadelphia Inquirer*, in March, 1835, stated that when the hour arrived for opening the books in that city, those waiting to subscribe were told that all the stock had been already taken. A few hours later the stock sold at an advance of four dollars.

a trial excursion was given from Wilmington to the Susquehanna, and the road was formally opened July 19th, when a joint entertainment was given by this company and the Baltimore and Port Deposit Company, on board the steam ferryboat "Susquehanna," which connected the two lines from Perryville¹ to Havre de Grace. On July 31st the first train ran through from Baltimore to Wilmington, being ferried over the Susquehanna, and passengers secured connection with Philadelphia by means of the steamer "Telegraph," Capt. Whildin, from Wilmington. After this time trains ran through daily between Baltimore and Wilmington. Mr. Canby resigned the presidency of the Wilmington and Susquehanna Company, August 21, 1837, and James Price was elected to succeed him. The company's right of way from Wilmington to the Pennsylvania line, which had been merely located, was ceded to the Philadelphia, Wilmington and Baltimore Railroad, November 11, 1837, in order to expedite the building of a through line to Philadelphia, and in February, 1838, the company merged with the Philadelphia, Wilmington and Baltimore Company.

The Philadelphia and Delaware County Railroad was chartered by the Legislature of Pennsylvania, April 2, 1831, with a capital of two hundred thousand dollars, and authority to construct a railroad from Philadelphia to the Delaware line, and subscription-books were opened at Philadelphia and Chester in May. The company was organized in 1835, and on January 18, 1836, Matthew Newkirk was elected president and a reorganization made under the title of the Philadelphia, Wilmington and Baltimore Railroad Company, with an increase of capital stock to four hundred thousand dollars. The road was completed to the Delaware line without delay, and the Wilmington and Susquehanna Company ceding its rights between the Delaware line and Wilmington, the tracks were extended and the road opened from Gray's Ferry to Wilmington, January 15, 1838, perfecting an all-rail route from the Schuylkill to Baltimore, with ferriage at the Susquehanna. An entrance into Philadelphia was effected also in this year by a viaduct over the Schuylkill—and the entire cost of the road to date was four million one hundred and eighty-five thousand five hundred and eleven dollars.

Notwithstanding there was one continuous line of road at this time, it was owned by three different companies—another disadvantageous situation—and, accordingly, a combination was effected, February 5, 1838, under the title of the Philadelphia, Wilmington and Baltimore Railroad Company, with Matthew Newkirk as president. Mr. Newkirk resigned in 1842 and was succeeded on June 1st by M. Brooke Buckley, who was succeeded January 12, 1846, by

Edward C. Dale. Mr. Dale resigned in July, 1848, and William H. Swift was elected January 9, 1849, to succeed him. Mr. Swift resigned February 28, 1851, and was succeeded by Samuel M. Felton, who was succeeded April 15, 1856, by Isaac Hinckley.

Prior to 1849 the Philadelphia, Wilmington and Baltimore Road terminated in Baltimore at Canton, and the passenger cars were taken by horse-power to the Baltimore and Ohio depot on Pratt Street—but the President Street Station,² corner President Street and Canton Avenue, was then built and used regularly thereafter; at the same time the depot at Broad and Prime Streets, in Philadelphia, was built.³

Efforts to procure necessary legislation to bridge the Susquehanna River proved abortive until May 12, 1853, when the desired authority was given on condition that the company would build a branch road from Perryville to Port Deposit, a distance of four and a half miles. The piers of the bridge were commenced in 1861, and were ready for the superstructure in October, 1865, and the erection of the spans began. On July 25, 1866, all but one of the spans were in position, when they were blown into the Susquehanna during the prevalence of a tornado. The piers, however, were not injured, and in less than three months they were replaced, and an engine passed over the bridge, which was formally opened November 26, 1866, several excursions being run there from Philadelphia, Baltimore and other cities.⁴

The Philadelphia, Wilmington and Baltimore Railroad was used as a connecting link between the South and North by the Baltimore and Ohio and Pennsylvania Companies for many years. In 1880 in consequence of differences between these two companies a syndicate was formed for the purpose of purchasing the Philadelphia, Wilmington and Baltimore road. The majority of the stock was held in Boston, and on February 22, 1881, it was announced that the syndicate had purchased a controlling interest in the road for the Baltimore and Ohio Company at seventy dollars per share. This statement appeared to have been premature, as the Pennsylvania Railroad Company subsequently obtained a controlling interest in the Philadelphia, Wilmington and Baltimore Company at eighty dollars per share, and with it the virtual control of the Delaware system, the Philadelphia and Baltimore Central, the Chester Creek road (leased), and the West Chester and Philadelphia and other

² The President Street Station was abandoned as a passenger depot when the Pennsylvania Railroad acquired the Philadelphia, Wilmington and Baltimore road, in 1881, and the passenger traffic was transferred to the Union Station in Baltimore. President Street Station has since been used for freight purposes.

³ In 1852 a railroad was built across the Susquehanna from Perryville to Havre de Grace, on the ice, and was used without accident from January 16th to February 24th, when the track was removed a few days before the ice disappeared from the river.

⁴ The Philadelphia, Wilmington and Baltimore Railroad Company acquired its Delaware connection originally by the purchase of the New Castle and Frenchtown Railroad in 1840, and the New Castle and Wilmington railroad in 1876. The West Chester and Philadelphia and the Philadelphia and Baltimore Central Railroad, practically owned by the Philadelphia, Wilmington and Baltimore Company, were consolidated in 1881.

¹ It was the intention of the Baltimore and Port Deposit Company to make Port Deposit the eastern terminus of their road; but, in April, 1836, a conference between them and the Delaware and Maryland Company determined in favor of a ferry at Havre de Grace, and Port Deposit, as a proposed terminal point, was thereupon abandoned. This resulted in persistent opposition on the part of the Port Deposit interests, and legislative action was necessary before the road could be built.

railroads. The Pennsylvania road took formal possession July 1, 1881.

The roads leased or owned by the Philadelphia, Wilmington and Baltimore Company are as follows:

The Delaware Railroad runs from Delaware Junction, to Delmar, at the Maryland line, eighty-four miles and includes the New Castle and Frenchtown and the New Castle and Wilmington, the former being purchased by the Philadelphia, Wilmington and Baltimore Railroad in 1840 and the latter in 1876, and the two completing the link between the original Delaware Railroad and the Philadelphia, Wilmington and Baltimore Railroad. The Delaware road is operated under a lease which terminates May 4, 1897. The Queen Anne and Kent, the Delaware and Chesapeake, the Philadelphia and Baltimore Central and the Cambridge and Seaford Railroads are operated by the company as their agents. In 1881 the Philadelphia, Wilmington and Baltimore Company purchased the Newark and Delaware City road and is operating it as a branch. In 1883 the Dorchester and Delaware road was reorganized as the Cambridge and Seaford road, and is operated in connection with the Delaware road the branches proper of which are Townsend Branch, from Townsend to Massey's Cross-Roads, Maryland; Smyrna, Branch from Clayton to Smyrna; Dorchester Branch, from Seaford to the State line. The Queen Anne and Kent road extends from Massey's Cross-Roads to Centreville, Maryland, twenty-six miles; was chartered March 8, 1856, and opened in August, 1869. The Delaware and Chesapeake road, fifty-five miles from Clayton to Oxford, Maryland, was chartered May 10, 1854, as the Maryland and Delaware Company and completed in 1857. The Cambridge and Seaford road, twenty-seven miles, from Oak Grove to Cambridge, Maryland, was chartered as the Dorchester and Delaware Company, February 6, 1866, and bought by the Philadelphia, Wilmington and Baltimore Company and reorganized under its present name June 1, 1883. At the same time the Junction and Breakwater, the Breakwater and Frankford and the Worcester Railroads were consolidated as the Delaware, Maryland and Virginia Railroad, ninety-eight miles from Harrington to Rehoboth and from Georgetown to Franklin City, Virginia, and are operated as a part of the Delaware system. The Philadelphia and Baltimore Central Railroad consolidated with the West Chester and Philadelphia road in October, 1881. It comprises, also, the West Chester Branch from Wawa Junction to West Chester and the Chester Creek road, from Lenni to Lamokin. The Port Deposit Branch of the Philadelphia, Wilmington and Baltimore road, from Port Deposit to Perryville, was leased May 1, 1882, to the Columbus and Port Deposit Railroad Company. Of the roads named as a portion of the Delaware system, the New Castle and Frenchtown line has a most interesting history as the pioneer railroad of the State of Delaware.

Jonas Preston Fairlamb, who made the first surveys

for the Philadelphia, Wilmington and Baltimore Railroad Company, was born at Marcus Hook, Pa., May 22, 1785. He married Sarah, daughter of Samuel and Ann Richards Price, the marriage being performed at the Protestant Episcopal Church at Marcus Hook, January 28, 1808. They had twelve children, only two of whom now survive.

Mr. Fairlamb was one of the most widely known civil engineers of his day, and was regarded as a man of unusual capacity in his profession. He superintended the first establishment of the water-works in Wilmington, and though many predicted his efforts would result in a failure, nothing daunted, he, confident in his own conclusions, went energetically to work and completed the enterprise with perfect success. He was a man of most positive convictions, and could not be moved from his purpose by arguments whose force and correctness did not commend themselves to his discernment.

Nicholas Fairlamb, his father, married Hannah Preston, a sister of Dr. Preston, who built the Preston Retreat at Philadelphia. The issue of this marriage was three daughters and one son, the subject of this sketch.

The following record of Mr. Fairlamb's ancestry will be found interesting:

Nicholas Fairlamb brought to Philadelphia a certificate from a Monthly Meeting held at Stockton, in Durham, England, dated Sixth Month 13, 1700. It is recorded at the Race Street Meeting, Philadelphia. It appears that he first settled in Chester township, but eventually removed to Middletown, now in Delaware County, where he purchased two hundred acres of land from Thomas and Philip Taylor, by deed dated May 30, 1704. He was a member of Assembly from Chester County in 1705, '11, '12 and '13, and sheriff of the county in 1718.

Nicholas Fairlamb and Catherine Crosby, daughter of Richard and Eleanor Crosby, declared their intention of marriage Seventh Month, 1793, before the Chester Monthly Meeting, and were probably married in the Ninth Month following. Their children were four daughters and two sons, one of the latter dying in infancy. John, the youngest child, married Susanna Engle, Eleventh Month 13, 1742, at Middletown Meeting. He died February 6, 1766, aged fifty years.

John Fairlamb was a justice of the peace and of the courts in 1761, and again in 1764; sheriff of the county from 1762 to '65; also a member of Assembly from 1760 to 1765. His children were—Nicholas, born Eighth Month 28, 1743; he married Hannah Preston.

Catherine, born Eighth Month 18, 1747; she married Peter Hill.

Ann, born Second Month 1, 1752, married J. Pedrick first, and J. Pennil for second husband.

Susanna, born Second Month 23, 1754, never married.

Eleanor, born Ninth Month 16, 1756, never married.



James Smith

... who had not first served

for $\lambda \in \mathbb{C}$ and $\mu \in \mathbb{R}$. A function f is called λ -harmonic if $\Delta f = \lambda f$ and μ -harmonic if $\Delta f = \mu$. For $\lambda = 0$ and $\mu = 0$ we obtain the usual notion of harmonic functions. For $\lambda = 0$ and $\mu \neq 0$ we obtain the notion of μ -harmonic functions. For $\lambda \neq 0$ and $\mu = 0$ we obtain the notion of λ -harmonic functions. For $\lambda \neq 0$ and $\mu \neq 0$ we obtain the notion of (λ, μ) -harmonic functions. For $\lambda = 0$ and $\mu = 0$ we obtain the notion of harmonic functions. For $\lambda = 0$ and $\mu \neq 0$ we obtain the notion of μ -harmonic functions. For $\lambda \neq 0$ and $\mu = 0$ we obtain the notion of λ -harmonic functions. For $\lambda \neq 0$ and $\mu \neq 0$ we obtain the notion of (λ, μ) -harmonic functions.

18. Information was obtained from the Bureau of Civil Communications on 11/14/1961, which was the only source of information available on this person. The information was obtained from the Bureau of Civil Communications on 11/14/1961, which was the only source of information available on this person. The information was obtained from the Bureau of Civil Communications on 11/14/1961, which was the only source of information available on this person.

Volunteers from the local community and the United Nations joined Dr. Pridmore, who was on Retreat at Philadelphia. The retreat ends on 15 September and there is now one year to go before the start of 2000.

It is a long record of victories
which built the tower strong.

[illegible][illegible]

Collection, by the English Museum,
1871-1872.

rick, G. C., and J. E. Smith. 2000.

1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Lichtenthaler and Whistler (1972).



Jonas Preston Furlamb

John, born Third Month 25, 1759, married Susanna Ashbridge.

Mary, born Sixth Month 16, 1762, never married.

Frederick, born Second Month 10, 1765, married Mary Pennil.

Samuel, born Tenth Month 22, 1794, married Hannah Richardson.

Thus it will be seen the genealogy of Mr. Fairlamb's family is clearly traced from the day his progenitor, Nicholas Fairlamb, left England in the year 1700 for America.

Jones Preston Fairlamb died at Wilmington, at the residence of his son-in-law, Samuel Harlan, on West Street, August 16, 1860, at a ripe old age, in full communion of St. Andrew's Episcopal Church, lamented by his friends and respected by the entire community.

THE PHILADELPHIA, WILMINGTON AND BALTIMORE RAILROAD SHOPS—*Car-Shops*.—The first car-shops of this company were built in Wilmington, on Walnut Street, between Water and Front Streets, in the year 1842. The shop had room to build two coaches and the paint-shop had room to paint the same number. The records do not show the force of men employed in the shop at that time, but have a record showing the number of men employed in the car-shop in January, 1845, the showing being as follows: January, 1845, men employed in car-shop, 19; men employed in paint-shop, 2—total, 21.

At this time the amount of the car-shop pay-roll, for men as above mentioned, was \$565.83.

In 1865 the car-shop was removed to the present site and has been enlarged from time to time as the business of the road required. The following will show the increase from 1845 to 1887: 1887, capacity of car-shop, 41 cars; 1845, capacity of car-shop, 4 cars—increase of 37 cars. January, 1887, number of employees, 361; January, 1845, number of employees, 21—increase, 340. January, 1887, amount of pay-roll, \$17,039.29; January, 1845, amount of pay-roll, \$565.83—increase, \$16,473.46.

***Machine-Shops*.**—The first engine-house was built in Wilmington in 1836 by the Philadelphia and Wilmington Railroad Company, and was located east of and fronting on Walnut Street, and at a point about fifty feet south of the present south-bound track. This house was frame and contained three tracks, each with a twelve-foot turn-table in front of the house.

In 1837 the road was consolidated with others, forming the present Philadelphia, Wilmington and Baltimore Railroad Company, and this was the first engine-house and shop belonging to this company that was located in Wilmington. Nothing but light repairs were done in this house, the heavier work being done principally by the Betts, Harlan and Hollingsworth Company. There were no alterations or additions of any importance made to the original engine-house until 1853.

In 1847 a new round-house, with a capacity for eighteen engines, was commenced and located with the centre about one hundred feet north of the centre of the present turn-table. This house was finished and occupied in 1851 and the old engine-house was after that used as a machine-shop. About this time machinery was first introduced into the shops.

In 1853 the shops at Gray's Ferry were abandoned, and the tools moved to Wilmington and the shop somewhat enlarged.

In 1854 the machine-shop was rebuilt of brick and made much larger than formerly. A new blacksmith-shop was also built of brick. This is the building now used as a hammer-shop, and is the original building.

In March, 1859, the machine-shop building was totally destroyed by fire, together with the frame building adjoining it on the north, which was used as a planing-mill for car-work. The machine-shop was at once rebuilt, and is the structure with arched roof now used as the machine-shop proper.

In 1862 the round-house was taken down and replaced with a new one with stalls for twenty-three engines, two of which were used as a boiler-shop. This house stood on the site of the present one, and the greater portion of the old walls are still in use. A building was also erected adjoining the northwest corner, which was used as an oil, pattern and store-house. The walls of this structure are a part of the building on the same site now used as offices, hospital, etc.

In 1871 the round-house, together with all the adjacent buildings excepting the machine and blacksmith-shops, were destroyed by fire, but were at once rebuilt in substantially the same shape as before. At this time the space between the back of the round-house and French Street belonged to George W. Bush & Co., and on it was a dock extending from the creek nearly up to the railroad, and the land now occupied by George W. Bush & Co. belonged to the railroad company. An exchange of these two properties was effected and the dock filled up, and the company's land extended from the Pusey & Jones Company's line on the east to French Street on the west, and from the railroad on the north to the creek on the south, which are the limits as at present.

In 1865 a number of additions were made to the shops, consisting of the two-story brick building adjoining the machine-shop, and which is now used as a machine-shop, drawing-room and pattern-shop, the engine and boiler-room, now used as such, and the structure now used as the paint and copper-shops and store-room. Also a frame building was erected back of the round-house and at right angles with the Christiana Creek, which was used as machine and boiler-shops until 1881, when it was torn down and replaced with the present blacksmith-shop.

In 1873 the building now used as offices and store-room was erected. The frame annex to store-room was

added in 1879 and has been enlarged several times since.

In 1875 the number of engines having constantly increased, and the amount of repairs being correspondingly greater, the engine-house and machine-shops had become inadequate to the needs of the road, and it was decided to build a new engine-house and use a portion of the old one for shop purposes. This programme was carried out, and the present round-house at the foot of Pine Street erected. A portion of the old one was converted into a boiler-shop at once, and in 1880 the erecting-shop was moved into it. After these changes had been made, however, it was found that the facilities were still inadequate for the work, and it was decided to build a new, large blacksmith and boiler-shop, and the present frame structure now used for the purposes named was erected in 1880. The use of the engine-house for storing engines was entirely abandoned and the house given up to shop purposes. The erecting-shop was changed to its present location and other minor changes made. Since that time several changes in the location of the shop in the smaller buildings, and some additions to these structures, have been made, until, at the present time, all of the ground is occupied and the limit of the capacity of the present shops has been reached. No more can be done on the present location, as the ground is all fully occupied and the buildings are much too small.

In 1842 there were in use nine engines on that portion of the road between Philadelphia and Perryville. These were repaired at Gray's Ferry and in private shops in Wilmington.

The first authentic account of men employed at repairs of locomotives at Wilmington shops that we can get was in 1843. The force then consisted of seven men, as follows: master mechanic at \$75 per month; two machinists at \$60 per month each; two blacksmiths at \$10 per week each, two helpers at \$4.75 per week each,—total per month, \$327.75. There was also a gang of men sawing and loading wood on engines, consisting of one foreman at \$33.33 per month, three laborers at \$30 per month each,—total per month, \$123.33. These men also loaded freight, the freight-house being located on Walnut Street, directly north of the south-bound track. The engines in use at this time were very small and light, and all of the machine tools were of the most primitive and crude design. At that time the company had no shops at Wilmington, and all repairs in that city were made in the old engine-house, or, as said before, in private shops.

In 1887 the shops at Wilmington were doing repairs for one hundred and eighty engines, and in August there were employed three hundred and eighty-four men, with a pay-roll of \$18,065.18.

The first new engines built at the company's shops in Wilmington were turned out in 1867. Since that time thirty-five new engines have been built complete, the number turned out this year being five.

The following is the list of master mechanics who have had charge of the Wilmington Shops since the organization of the road:

James Elliott, 1836 to 1844; Leonard Phlegler, 1844 to 1848; John Boddy, 1848 to 1849; Joseph Teas, 1849 to 1856; William Stearns, 1856 to 1861; Oliver Ayers, 1861 to 1864; George W. Perry, 1864 to 1872; S. A. Hodgman, 1872 to 1883; H. D. Gordon, 1883 to —.

NEW CASTLE AND FRENCHTOWN RAILROAD.—The establishment of a regular line of steamboats between Baltimore and Elkton resulted in the application of the New Castle and Frenchtown Turnpike Company (then operating the turnpike in conjunction with the New Castle Turnpike Company from New Castle to Frenchtown) to the General Assembly of Maryland, for authority to build a railroad along or near the turnpike. This authority was granted in a bill which was passed in December, 1827, and in February, 1829, a similar bill passed the General Assembly of Delaware, increasing the capital stock of the company to \$200,000, and changing its name to the New Castle and Frenchtown Turnpike Railroad Company. The use of the bed of the turnpike, excepting thirty feet, which was to be kept in good repair, was permitted, with the additional option of purchasing the right of way near the line of the pike. The latter was determined upon; the railroad was built nearly parallel with the turnpike, and terminated at a commodious wharf and landing on Elk River below Frenchtown. A supplemental act of Assembly was passed January 16, 1830, authorizing the union of the New Castle Turnpike and Railroad Company and the New Castle and Frenchtown Turnpike and Railroad Company, and reducing the width of turnpike from thirty to twenty feet.¹ The railroad was seventeen miles long and was completed in 1831.² As it was one of the pioneer railroads in this country, the following description of its primitive construction from Johnson's "History of Cecil County" will prove of interest:

"The rails were placed about the same distance apart as in modern roads, but instead of being laid upon wooden sleepers, were placed upon blocks of stone ten or twelve inches square. These stones had holes drilled in them in which a wooden plug was inserted and upon them were laid wooden rails, about six inches square and ten or twelve feet long, which were fastened to the stones by means of a piece of flat iron shaped like the letter L, which was fastened to the stone by means of a spike driven into the wooden plug through a hole in one extremity of the iron and another spike driven into a wooden rail through another hole at the other extremity. The stones were placed about three feet apart and each stone had two of these iron attachments, one on each side of the rail. Bars of flat, iron-like tire, were spiked on top of the wooden rails, and thus completed the structure."

The road was equipped with cars having a capacity for ten or twelve passengers, and drawn by one horse. Glasgow and the Bear were relay stations. In the

¹ In December, 1830, the stock of the railroad company was selling at sixty per cent. above original subscription.

² Niles' Register of March 3, 1832, says: "The Frenchtown and New Castle Railroad was opened for transportation of persons and goods on Thursday last. It may and will be very rapidly traveled by steam-power because of its extraordinary straightness. One of the coaches built to run upon it by the famous Inlay, of Baltimore, may well be called a traveling 'palace,' because of its conveniences, and it will comfortably seat fifty persons inside and out. The length of the road is sixteen and one-half miles; present time of traveling it, one hour and thirty-five minutes, including a change of horses."

latter part of 1832 a steam locomotive¹ was imported from England, put together at New Castle and introduced on the road. It was named "Delaware." Several days were required for the initial trip of the "Delaware" and the necessary supply of water was drawn from the wells and springs along the line of road.

Other locomotives² were added to the rolling stock of the road, and a trip from river to bay was made in about an hour.

The novelty of using steam as a motive-power was utilized as an advertising agent, and proved exceedingly successful. From the *Delaware Gazette* of March 26, 1833, the following characteristic announcement is taken :

"Passengers for Baltimore and those wishing a pleasant and novel excursion are respectfully informed that a train of cars drawn by Locomotive Engines leave New Castle immediately on the arrival of the Steam Boat from Philadelphia, about half past eight A.M., for Frenchtown, where passengers take steam boat and are landed at an early hour in the afternoon at Baltimore. Return train arrive at New Castle about 1 o'clock, P.M. Fare from New Castle to Baltimore, \$3.25.

"JOHN D. BIRD, Agent."

For twenty years the road continued in active operation, in conjunction with a line of steamboats from Frenchtown to Baltimore. In 1874 the company was merged with the Philadelphia, Wilmington and Baltimore Railroad Company, and became a part of the Delaware road.

DELAWARE RAILROAD.—This company was chartered by the General Assembly, June 20, 1836, with authority to build a railroad "from any point on or near the Wilmington and Susquehanna Railroad, or the New Castle and Frenchtown Railroad, to the southern line of the State, in a direction towards Cape Charles, with full power to construct lateral branches to Lewes, Seaford, or any other points or places within the limits of the State of Delaware," and John M. Clayton, Wm. D. Waples and Richard Mansfield were named as commissioners under the act. A survey was made, but efforts to realize a subscription necessary to start the enterprise failed, and the charter was forfeited to the State. In 1849 the charter was revived in a modified shape, but nothing was accomplished until 1852, when the State subscribed conditionally to 5000 shares to be paid out of revenue derived by the State from the New Castle and Frenchtown Railroad Company, as it accrued. The company was accordingly organized in May, 1852, with Samuel M. Harrington as president; William Tharp, treasurer; Thomas B. Bradford, Alex. Johnson, William Cannon, Charles Wright, Henry Ridgely, William O. Redden, Benaiah Tharp, directors.

¹ In introducing steam as a motive-power, it was found necessary to reconstruct the road with iron rails "hollow and shaped like two capital L's with the horizontal part of one of them reversed and the upper parts of the two letters joined, **JL**. These rails were fastened to the wooden sleepers by spikes driven through holes in the rail."

² "Col. Long's locomotive, on the New Castle and Frenchtown Railroad, is highly spoken of. It lately performed 27 miles in 2 hours, the whole weight moved being ten tons—performing three of these miles in 7½ minutes. The engine and its appurtenances weigh 3 tons. This was the first trial, and is equal, or superior, to any of the English performances."—*Niles' Register*, 1832.

In 1853 the Philadelphia, Wilmington and Baltimore Railroad Company became interested in the proposed road and a reorganization was effected, and Messrs. Samuel M. Felton, Edward C. Dale, Edward W. Gilpin and Charles I. Du Pont, representing the Philadelphia, Wilmington and Baltimore Company, and Andrew C. Gray, representing the New Castle and Wilmington road, were added to the directory. Work was begun on the road at once, the northern terminus being a junction with the New Castle and Frenchtown Railroad. In 1855 the State made a loan of one hundred and seventy thousand dollars to the company. On May 4, 1855, the road was leased to the Philadelphia, Wilmington and Baltimore Company for twenty-one years, with the option of a renewal, afterwards consummated for a corresponding period, at six per cent. on the capital stock and bonds and one-half of the net profits over that amount. The construction was considerably delayed by excessive demands in New Castle County for damages for right of way, but the road was completed to Middletown in August, 1855, and by a junction with the New Castle and Frenchtown Railroad, was opened between that place and Wilmington. In January, 1856, the road was opened to Dover, and in December to Seaford. The latter took place on the 11th of the month and was attended by imposing ceremonies. Special excursion trains were received with artillery salutes, and Governor Causey presided at a public meeting, at which Chief Justice S. M. Harrington, president of the company, ex-Mayor Morton McMichael, of Philadelphia, Governor Causey, and Messrs. Charles I. Du Pont, Jno. W. Houston, Willard Saulsbury, W. G. Whiteley and others made congratulatory addresses. The treasurer's report in January, 1857, showed that \$1,146,310 had been expended, towards which subscriptions had been made as follows: By the State, \$170,000; by corporations, \$62,500; by citizens of Wilmington and New Castle County, \$27,725; by citizens of Kent County, \$44,750; by citizens of Sussex County, \$35,875; by contractors, \$10,000; by citizens of other States, \$6525. In November, 1856, the Philadelphia, Wilmington and Baltimore Company took formal possession of the new road under its lease. In 1857, Col. Henry B. Fiddeman, Hon. J. W. Houston, and ex-Governor Causey, under authority of the General Assembly, secured subscriptions and began the construction of the Milford Branch Railroad, from Harrington to Milford, which was completed in 1859. The same year the Delaware road was extended to Delmar to connect with the Eastern Shore Railroad Company, which had the line from Delmar to Salisbury under contract. The extension cost \$164,073, and became a part of the lease to the Philadelphia, Wilmington and Baltimore Company. The Eastern Shore road was opened to Salisbury in 1860, and extended to Crisfield in 1866. A telegraph line was built in 1861 along the Delaware road to Harrington and Seaford. The Junction and

Breakwater road was begun through legislative aid in 1865, and completed in 1869. In 1865, President Harrington died, and Samuel M. Felton was elected in his place. In 1866 a branch was built from Clayton to Smyrna, and from Townsend to the State line, the latter being afterwards extended to Massey's Cross-Roads, where it joined the Queen Anne and Kent road. The Delaware road, also in 1867, built a branch from Seaford to the State line to meet the Dorchester and Delaware road, and loaned the latter sufficient capital to complete its line thence to Cambridge. In 1869 the Maryland and Delaware Railroad, from Clayton to Easton, was completed, and all of the foregoing became a part of the Delaware system, which is now an independent through line between Philadelphia and the South. In August, 1873, by a break in the Chesapeake and Delaware Canal and a severe rain-storm, the bridge over the canal and a number of culverts were destroyed, entailing a serious loss, and suspending traffic for a week. The peach-growing interest along the Peninsula, was a source of considerable revenue to the company, and in 1876, this class of freight aggregated 4,536,751 baskets, or 9072 car-loads. This year the State loan of \$170,000 was paid. The total cost of the Delaware road and its branches was \$2,206,719.89.

Among those prominent in the history of the Delaware Railroad Company is Manlove Hayes, who was born May 5, 1817, a few miles east of Dover, in Kent County. From a biographical sketch of his brother, the late Hon. Alex. L. Hayes, of Lancaster, Pennsylvania, and from family records, we find that his first American progenitor was Richard Hayes, who, at the age of twenty-one, emigrated from England in 1698, and first landed on James River, Virginia. From thence he came up the Delaware as far as the Schuylkill. He remained there but a short time; then he descended the river, landing at Cedar Creek, where, possibly meeting with old acquaintances, he made a settlement in Sussex County, Delaware, near the locality of Milford, where he married Dolly Manlove. He died on his farm in the year 1773, aged ninety-six. His second son, Nathaniel, married Elizabeth Carlisle, and died in 1786, aged eighty-three. Richard Hayes, the eldest son of Nathaniel, married Priscilla Polk, daughter of Charles, and granddaughter of Ephraim Polk, of Somerset County, Maryland. Richard Hayes was appointed one of the magistrates of Sussex County under the State Constitution of 1792, and died in 1797, aged fifty-three, leaving issue, three sons—Manlove, Alexander and Charles—and three daughters. Manlove, the father of the subject of this biography, was the only son of Richard, who left issue. He removed to Kent County about the beginning, if not the first year, of the present century and purchased a property near Dover. Soon after this he moved to Dover and engaged in the mercantile business, and in buying grain, which, with other products, was transported in his vessels to the city

of Philadelphia. He was thrice married. The children by his first wife, Zipporah (Laws) Hayes, were Alexander L., before mentioned, and Mary, who married the late Col. Wm. K. Lockwood. His second wife, Mary (Laws) Hayes, lived but little over two years after her marriage, and at her death left one daughter Eliza M., who married, first, Thomas M. Stout, M.D. and, after his death, the late Hon. Wm. F. Boone, of Philadelphia. In 1814 Mr. Hayes married Ann (Bell) Emerson, widow of Jonathan Emerson, of Kent County, who was of a highly respectable Quaker family, the owner by inheritance of a large estate in Little Creek Neck, in which she held dower. She was the mother, by her former husband, of the late Dr. Governor Emerson, physician and author, of Philadelphia, and of four daughters,—Mary, Sarah, Susan Blundell (who married Charles Marim, Esq.) and Ann Eliza. The children of Manlove and Ann Hayes were Harriet Sykes, Manlove and Charles Polk. Previous to this time he acquired considerable real estate, including a farm of near three hundred acres, called Troy, on the Bay road, south of Dover, which he gave to his daughter Eliza as a marriage portion, having established his sister Mary, after her marriage with William K. Lockwood, in his house in Dover. Soon after his last marriage he purchased and removed to "York Seat," the farm where he resided until his death, in 1849, in his eighty-first year. It was always a subject of regret to Mr. Hayes that in the troublous times of his youth, during the War of the Revolution, his education was limited to the advantages only of a home instruction and such schools as were in the neighborhood. He entertained most liberal views in regard to education, and hailed with delight the introduction in this State of the free-school system. He spared no expense in bestowing on his children the advantages of academic and collegiate instruction, and these generous views were in harmony with those entertained by his intelligent and estimable wife, who was a "Friend" widely known for her Christian charities. She survived him many years, and died in 1862, at the advanced age of eighty-six years. This worthy, aged and benignant couple were honored and beloved by children and step-children on either side, who shared alike their affection and the love and attachment to each other that such affection inspires. Mr. Hayes was considered one of the most advanced agriculturists of the State, enterprising and progressive in all his business relations, and as a citizen was highly esteemed in the county where he lived and which he represented, at different periods, in the House of Representatives and in the State Senate.

Manlove Hayes, the subject of this sketch, spent his youth at "York Seat," his father's farm, a few miles east of Dover; received his education at Newark Academy, then in the height of its prosperity, under the management of Rev. A. K. Russell; continued in the academy and college from 1832 till 1836, except one year which he spent at school in York, Pa. In



M. Hay

[illegible][illegible][illegible]

Mr. J. H. HAYES, President of the
University of Michigan, said that
the University of Michigan, in
1890, had a total of 1,000 students.

group, then in the knowledge that the group is not effective. A K. L. is a healthy and intelligent human being who has spent at least



Mr. Hayes.

INSTRUMENT OF DEEDS AND

[illegible]

and the third day, I saw him on the street
driving his first wife, Zoraida,
and a boy, his son, who was
about 10 years old. I saw him
with a young girl, his daughter,
who was about 12 years old.
I saw him with a woman
who was about 40 years old.
I saw him with a woman
who was about 50 years old.
I saw him with a woman
who was about 60 years old.
I saw him with a woman
who was about 70 years old.
I saw him with a woman
who was about 80 years old.
I saw him with a woman
who was about 90 years old.
I saw him with a woman
who was about 100 years old.

[illegible][illegible]



Mr. Hayes.

the winter of 1836, he left college, to accept a situation as assistant in the engineering corps of John C. Trautwine, and was engaged in locating and building the East Tennessee Railroad, extending from Knoxville to the Georgia State line. He was in charge of a division of this railroad until 1840, when, on account of financial troubles then existing throughout the country, further operations were suspended and the work, for the time, discontinued. This survey was made through the Cherokee country at the time when the United States government was removing the Indians from their old homes in Tennessee and Georgia to the reservation now known as Indian Territory. Mr. Hayes returned to Delaware in 1840 and engaged in farming. At the death of his father he succeeded to the ownership of the paternal homestead, "York Seat," and resided upon it until 1864. In addition to his own, he accepted the trust of other estates and continued many years in charge of two large landed possessions, embracing, among others, several of the most productive farms in the county. In 1862 he purchased a tract of land adjoining Dover, on which the year following he erected a fine dwelling, in which he now resides. In this year his lawn, designed and laid out by Saunders, the landscape gardener, was planted with a well-selected variety of evergreens, maple and other deciduous trees, which have since made a fine growth, and now furnish a delightful shade and ornament the attractive surroundings of his comfortable home.

Mr. Hayes, being a man of excellent judgment honor and integrity, has been chosen to fill various positions of responsibility and trust. In 1846, and for several years afterwards, he was associated with Chancellor Harrington and Caleb H. Sipple, Esq., of Dover, in establishing and running a steamboat line from Dona Landing to Philadelphia, and superintended the erection of the wharf, hotel and other buildings at this landing, seven miles from Dover. In 1843 he was elected clerk of the State Senate, and in 1852 was elected a member of the last Whig Legislature of his State. During the session of 1853 he had charge of the bills, as shown by the journal of House of Representatives, to obtain legislation empowering the Delaware Railroad Company to extend its lines north from Dover to connect with the New Castle and Frenchtown Railroad and the Philadelphia, Wilmington and Baltimore Railroad. Since 1864 Mr. Hayes has been a director in the Delaware Railroad Company, and from 1870 to the present time also its secretary and treasurer. In the meantime, in addition to his official duties as representative of the railroad company, he has purchased the real estate necessary for the enlargement of the depot grounds and other railroad purposes. In 1880 he wrote, and had published by the company's patronage, a complete history of the Delaware Railroad and its affairs to that date.

Mr. Hayes was one of the chief organizers of the First National Bank of Dover, and was a member of

its original board of directors, and has continued to be a member of the board until the present time. He was one of the founders of the Dover Library in 1885, was elected at its organization and continued to be president of that institution.

Mr. Hayes has always shown deep interest in agriculture, and has been instrumental in improving the business of farming and fruit-growing in his native State. He was one of the first persons in Kent County to engage extensively in growing fruits for market, planting his first peach orchard in 1849. Has been the correspondent from Kent County to the Agricultural Department of Washington from its first organization, and is corresponding secretary of the State Board of Agriculture.

In politics Mr. Hayes was a Whig of the Clay and Webster school.

In the exciting period of the Presidential election of 1860 his conservative views led him to hope that patriotism and statesmanship, combined with great business interests at stake, would devise means to subdue the turbulent, and effect a compromise which would avert the horrors of civil war. He took an active part in the campaign in favor of Bell and Everett, the Union party's candidates, was a delegate to the Baltimore National Convention, and the night after the nomination was one of the committee who waited on Mr. Bell at his hotel in Philadelphia. The result of that political campaign is part of the history of the times.

When violent hands were raised against the national government, and treason was supported by men holding the highest political offices under the Constitution they had but recently sworn to preserve, in his view it was apparent that but two parties could exist in this country—one to support the government under the incoming administration, the other to withhold its aid and assume the attitude of apologists for those rebelling against it. His Union principles were too well settled to admit of a doubt as to his choice—he gave his support to the Republican administration, and has since adhered strictly to the principles of his party.

Though in no sense a professional politician, he has sometimes taken an active part, was chairman of the County Executive Committee in 1872, when, by strenuous efforts, the State was carried for Grant and Wilson, and Lofland was elected to Congress, the only complete success of the Republican party, as to the election of electors and Congressmen, since the war. He was also made president of the State Convention in 1876, and appointed the State Executive Committee of that year.

As for political preferment to State offices, no Republican of Kent County has aspired to that, and for some years they have stood aloof from all active participation in the politics of the State.

Mr. Hayes, was married, February 17, 1851, to Rebecca Carmalt, daughter of James and Sarah (Parry) Howell, of Philadelphia. The children born of this

marriage are Mary, wife of John P. Saulsbury, the present Secretary of State of Delaware; Edith, wife of D. Mifflin Wilson, of Dover; and Anna Bell Hayes. His only brother now living, C. P. Hayes, of Philadelphia, is landscape gardener for the Philadelphia, Wilmington and Baltimore Railroad Company.

THE WILMINGTON AND NEW CASTLE RAILROAD, afterwards a part of the Delaware road, was chartered February 19, 1839, and opened in 1854, when it was operated in connection with the New Castle and Frenchtown Railroad.

THE JUNCTION AND BREAKWATER RAILROAD, a branch of the Delaware road, extended from Harrington about sixteen miles south to Dover, eastward to Milford, then south to Georgetown and thence eastward again to Lewes, near the Breakwater. It was built mainly by the State, and in 1883 became, by consolidation, a part of the Delaware, Maryland and Virginia Railroad.

BALTIMORE AND PHILADELPHIA RAILROAD.—This line was built by the Baltimore and Ohio Railroad Company to secure an independent road to New York. In 1880 the use of the Junction Railroad in Philadelphia, by the Baltimore and Ohio Company, was denied, excepting under an arrangement which was not acceptable to that company. In consequence, President Garrett, of the Baltimore and Ohio Company, formed a syndicate for the purchase of a controlling interest in the Philadelphia, Wilmington and Baltimore Railroad. In February, 1881, the announcement was made to the effect that the syndicate, through Director N. P. Thayer, of Boston, had secured a controlling interest in the Philadelphia, Wilmington and Baltimore Railroad, at seventy-five dollars per share. The Pennsylvania Railroad Company, however, immediately offered a higher figure for the stock and obtained a majority of it at eighty dollars per share, and took possession of the Philadelphia, Wilmington and Baltimore road, the purchase having cost \$16,675,692. In order not to be at the mercy of its powerful rival, the Baltimore and Ohio Company then decided to build a line of its own to Philadelphia, where an outside connection could be obtained to New York, *via* the Philadelphia and Reading and Bound Brook roads. The Baltimore and Philadelphia Railroad Company was accordingly organized for this purpose, January 31, 1883, and acquired the Delaware Western road, organized February 22, 1877, as the successor of the Wilmington and Western Railroad Company. The latter had previously built and was operating its line from Wilmington to Landenburg, Pa. The Baltimore and Philadelphia road was completed and opened through September 19, 1886, and has since been operated as the Philadelphia Division of the Baltimore and Ohio Company. Poor's Manual for 1887 gives the entire earnings of the Philadelphia Division for the year, \$114,767.30; expenses, \$95,521.02; net earnings, \$15,246.28.

THE BALTIMORE AND DELAWARE BAY RAIL-

ROAD extends from Pierson's Cove, Del., to Chestertown, Md., with a branch of ten miles, from Wootton Junction to Nicholson, Md. This line is a consolidation of the Smyrna and Delaware Bay Railroad, chartered and built in 1873, and the Kent County Railroad, chartered 1867, and completed in 1870. The Kent County road was sold under foreclosure, and reorganized in the interest of the Southern Railroad of New Jersey. The office of the company is in New York.

WILMINGTON AND NORTHERN RAILROAD.—This line, which extends from Wilmington to Birdsboro', Pa., with a branch to Reading, Pa., was the result of a consolidation of the Berks and Chester and the Delaware and Pennsylvania Line Railroad Companies, in 1866. It was opened from Wilmington to Birdsboro' in 1870, and to Reading in 1874. In 1876, after absorbing the Baltimore, Philadelphia and New York Company, the road was reorganized under the title of the Wilmington and Northern.

POMEROY AND NEWARK RAILROAD.—From Pomeroy, Pa., it extends twenty-seven miles to Newark, Del., on the Philadelphia, Wilmington and Baltimore Railroad. It was originally the Pennsylvania and Delaware Company; was sold in 1879, and known as the Pomeroy and State Line Railroad; reorganized under present name in 1881 and operated by Pennsylvania Railroad Company under lease.

NEW YORK, PHILADELPHIA AND NORFOLK RAILROAD.—This line extends from Delmar, Del., to Cape Charles, Va., ninety-five miles, with a branch of seventeen miles from King's Creek, Md., to Crisfield, Md. The roads embraced in the New York, Philadelphia and Norfolk line are the Worcester and Somerset Railroad, from Newtown Junction to Pocomoke City, the Peninsula Railroad, from Pocomoke City to Cherrystone, Va., and the Eastern Shore Railroad, from Delmar to Chesterfield. The two former consolidated as the Peninsula Railroad Company of Virginia, and, in 1884, purchased the Eastern Shore road and operated since under the present title. The road was extended from Pocomoke City, *via* Accomac and Belle Haven, to Cape Charles, in 1884, and the present operations include thirty-six miles of ferry between Cape Charles, Old Point Comfort, Portsmouth and Norfolk, for which purpose the company own two steamboats, two tugs and several car-floats.

DELAWARE BREAKWATER.—The construction of a breakwater near the entrance of Delaware Bay was discussed by the merchants of Delaware and Philadelphia for many years. The movements and discussions on this subject were of sufficient importance to influence Congress, by act of May 7, 1822, to appropriate \$22,700 for erecting in the bay of Delaware two piers of sufficient dimensions to be a harbor or shelter for vessels from the ice, if the Secretary of the Treasury, after survey being made, should deem the measure to be expedient. The survey was made and a plan reported sufficiently extensive to employ the small appropriation which had been made. The en-

gineers, however, suggested that a work upon a larger scale might with advantage be constructed of durable materials. Upon this, an application was made to the President for a more extensive and accurate survey. A board was formed, under direction of the War and Navy Departments, consisting of Gen. S. Bernard and Lieut.-Col. J. G. Totten, of the army, and Commodore William Bainbridge, of the navy. They made a thorough survey, and filed in the War Department, plans for the construction of an artificial harbor in the Bay of Delaware upon an extensive and durable plan. The President recommended the matter in an annual message, but nothing was done until February, 1828, when the Committee of Congress reported in favor of the construction of the breakwater, and Congress, on May 23d, of the same year, made an appropriation of \$250,000, to carry it into effect.

In 1828 Commodore Rodgers, General Bernard, and Mr. Strickland, of Philadelphia, were appointed commissioners to locate the Delaware breakwater, with instructions to provide a harbor for the largest class of war vessels. Up to 1833 the annual expenditures on the breakwater aggregated \$200,000 and the commissioners estimated that \$2,216,870 would be required to complete it. In 1832, 130,000 tons of stone were contracted for the work during the year 1833. At the close of operations in 1832, 1883 feet in length of stone foundation had been laid, of which 1419 feet had been reared three and a-half feet above low water level. The ice-breaker was 575 feet in length and the plan contemplated an anchorage for upwards of sixty vessels. In 1833 upwards of twenty top-sail vessels found a safe anchorage in the breakwater during a disastrous gale. In 1834 the amount of stone "deposited towards the completion of the breakwater" was 122,995 tons, and an aggregate of \$1,160,000 had been expended. The light-house, known as the breakwater light, was built in 1848.

On May 16th and 17th, 1832, the waters of "the Delaware reached an uncommon height and much damage was sustained." It was estimated that \$200,000 worth of lumber alone was lost by the flood.

CHAPTER XXI.

AGRICULTURE IN DELAWARE.

AGRICULTURAL SOCIETIES OF NEW CASTLE COUNTY.—The first Agricultural Society in New Castle county of which there is any record was organized in 1804, with Henry Latimer, president, and William Young, secretary. The other directors were Dr. James Tilton, William Hemphill, Peter Bauduy, Jacob Broom, Joseph Tatnall and Dr. George Monro. Great improvements in farming were made about this time; gypsum or plaster of paris was coming into use as a fertilizer, and was shipped to Wilmington from the coast of Maine. Clover and timothy took the

place of the native grasses, and wheat was cultivated in place of rye and barley. The land about the town which had been unproductive was converted into fields of grain, and the hillsides were covered with sheep and cattle. The raising of sheep in particular, under the stimulus given by the proprietors of the woolen mills, was an important industry as early as 1810. It is not known what part this society took in the general reform movement, the records not being now obtainable.

The second New Castle County Agricultural Society, was incorporated January 31, 1818, by an act of the Legislature. John Way, Victor Du Pont, Thomas Lea, Andrew Gray, Frederick H. Holtzbecker, Levi Boulden, John Crow, John Merritt, George Clarke, David Stewart and Abraham Staats were authorized to obtain subscriptions; the members to hold an election on the first Monday in May following for president, three vice-presidents, three secretaries, one recording secretary, a treasurer and twelve directors. They were authorized to hold land and erect buildings. This is the first society that was chartered, but in the course of a few years it died out. It had, however, accomplished some benefit for scientific and systematic agriculture while it existed, and accordingly when the project of establishing another association of the same nature was mooted, it found ready acceptance with the principal farmers and land owners.

Consequently the third and present Agricultural Society of New Castle county was organized, at a meeting held in Wilmington, May 7, 1836. Philip Reybold, of Red Lion Hundred, was made president; Edward Tatnall, of Brandywine; James O. Bird, of Christiana, and Jacob Faris, of Pencader, vice-presidents, and John Andrew, secretary. Dr. J. W. Thomson explained the object of the contemplated association, the agricultural improvement of which New Castle county was capable by scientific development and the growing importance of silk culture.

Dr. J. W. Thomson, Philip Reybold, Alex. S. Read, Jacob Caulk, Samuel Wollaston, John C. Clark, John Andrews, Samuel Canby, David W. Gemmill and Philip Reybold, Jr., were appointed a committee of organization and immediately reported a constitution and by-laws, which were adopted. The following were the first officers chosen: President, Philip Reybold; Vice-Presidents, Edward Tatnall, of Brandywine; Samuel Wollaston, of Wilmington; Jas. J. Brindley, of Christiana; Justa Justis and Andrew Gray, of Mill-Creek; Thomas Stockton, of New Castle; Jacob Faris, of Pencader; W. J. Hurlock, of Red Lion; Richard C. Mansfield, of St. George's; Wm. Rothwell, of Appoquinimink; Directors, Wm. Gibbons, M. D., Merrit Canby, John Richardson, Wm. Chandler, George Platt, John Higgins, John Clark, Thomas Robinson, Wm. Herdman, Henry Du Pont, Henry S. Cazier, Daniel Corbit, Samuel Hilles, Alex. S. Read, James McCulloch, Samuel Canby, John C. Clark; S. Naudain, Corresponding Secretary, Jas. W. Thomson, M. D., Treasurer, Jas. Canby, Recording Secretary,

Henry Gibbons, Counselor; Jas. A. Bayard, W. P. Brobeon, J. A. Bayard, Wm. R. Sellars, R. H. Bayard, Wm. Chandler and James Webb were appointed a committee to obtain a charter, and on June 13th, 1836, the act incorporating the society was passed by the Legislature.

This society was organized by active and aggressive men who took measures to gain information and disseminate it throughout the county. From the minutes of May 21st, 1836, something of the spirit which actuated the promoters of it may be gathered. On motion of Anthony Higgins, a committee was appointed to petition the Legislature to order a geological survey of the State. On motion of Dr. Thomson, the chairmen of the Agricultural, Horticultural and Silk Committees were authorized to appoint an agent, if they deemed it expedient, to visit different parts of the county to procure members of the society. They offered premiums and held a fair October 19, 1836, in the city of Wilmington, and at the same time the society held a meeting at the City Hall. The subject of silk culture received considerable attention, and Dr. Wm. Gibbons made an address on the subject. A committee was appointed to memorialize the Legislature to grant a premium on cocoons. According to a published report, preserved by Manlove Hayes, Wm. Darlington, M. D., delivered an address before the eighth annual meeting of the society and institute, held at Wilmington, September 13 and 14, 1843; and on October 9, 1843, the following officers were elected: President, Dr. James W. Thomson; Vice Presidents, Capt. Geo. Maxwell, Wm. Rothwell, Edward T. Bellak, Charles I. Du Pont, Eli Wilson, John R. Latimer, James Canby, C. P. Holcomb, Jesse Gregg, Courtland J. Fell; Corresponding Secretary, C. P. Holcomb; Recording Secretary, James Webb; Treasurer, Edward Tatnall; Counselor, Wm. G. Whitely; Directors, John C. Clark, Henry Du Pont, Samuel Canby, William Robinson, Joseph Lloyd, John S. Caldwell, M. B. Ocheltree, James S. Brindley, John W. Andrews, Philip Reybold, Bryan Jackson, William Tatnall, Joseph Carr, William S. Boulden, Richard Mansfield, John Richardson, Henry Latimer, John Higgins; Directors of the Horticultural Department, John R. Latimer, William Canby, Ziba Ferris.

The society divided the exhibits into three departments—Agricultural, Horticultural and the Mechanics' Institute. One of the features of the fair of 1843 was seventy-five yokes of oxen formed in line on French Street. The horticultural exhibit was good and the floral department especially fine, the ladies having taken a great interest. The fair was concluded by a dinner, presided over by C. P. Holcomb. The society at that time was in a prosperous condition, as is evident from the printed report of a speech by Dr. Thomson, who said in substance:

"This, gentlemen, is the anniversary of our society, and I am pleased to see instead of there being anything like an abatement of interest, there is really this

day a much larger number in its support, than on any former occasion. It is fair to suppose that this is the result of a conviction that the fair is doing good. My own opinion is, that it has been the means of adding directly and in its consequences, more than half a million dollars to the wealth of the county."

He stated further that the husbandry, the stock, the buildings and appearance of farms had improved and that the price of land had advanced.

When Dr. Thomson retired from the presidency of the society in 1845, after having served for eight years, he was tendered a vote of thanks for his devoted exertions in its behalf. That same year Jas. Canby was elected president and was succeeded in 1846 by John C. Clark, who held the office until 1856 excepting one year, when John Jones was president. Bryan Jackson held the office in 1856 and 1857; Geo. G. Lobdell in 1858; Samuel Canby from 1859 to 1864. The recording secretaries were Bryan Jackson, from 1846 to 1856; George Jackson, 1857-60; Robert McCabe, 1862-64; treasurers, James Canby, 1847-48, Samuel Canby, 1849-56, succeeded by Dr. J. A. Brown, J. H. Adams, Geo. D. Armstrong and Edwin Bringham in the order named. In 1863 the offices of secretary and treasurer were combined under Robert McCabe. The corresponding secretaries were C. P. Holcomb until 1853, when Geo. Pepper Norris held the office until he resigned in 1858, and was succeeded by E. Bringham, A. H. Grimshaw and Dr. Henry F. Askew.

In 1855 a committee was appointed to correspond with the farmers of Kent and Sussex Counties with a view to forming a State society. The committee consisted of J. W. Thomson, Edward Tatnall, Jas. Canby, P. Reybold, C. P. Holcomb, N. Wolfe and John Jones.

The society rented some seven acres of the Cleland estate, situated on the corner of Vestry Lane and the old Kings Road, for seven years, from March 25, 1855, for \$125 per year. The board of directors sub-let these grounds to Charles Murphy for \$150 per year, reserving their use for ten days each year. G. P. Norris reported a new constitution which after some alterations was adopted, and a committee was appointed to apply to the Legislature to recharter the society, as the original charter of 1836 was only for twenty years. In 1856 Bryan Jackson was elected president and J. C. Clark, T. J. Adams, Giles Lambson, Jr., B. Reybold, M. Ocheltree, John Jones, D. W. Gemmel, John Wales, C. J. Du Pont, A. M. Higgins, Samuel Canby, vice presidents; G. P. Norris, recording secretary; Geo. R. Townsend, treasurer; Chas. W. Howland, counselor; directors, J. A. Brown, J. S. Elliott, J. H. Adams, Richard Jackson, Henry L. Tatnall, Zadock Townsend, J. W. Andrews, W. T. Clark, E. T. Bellak, W. C. Barton, G. B. Tybout. On motion of G. R. Townsend, the following resolutions were unanimously adopted:

"WHEREAS, grain is the great staple of our farmers, and in selling the principle article of his production the farmer is interested to have accuracy, certainty and regular commercial usages observed; and as the practice of averaging the quantity by weighing a bag or two in a load is uncommercial, irregular and without the consent of both parties illegal. . .

"Resolved, that the society recommend selling by weight as ascertained by the scales or the patent beam."

The Brandywine Mills it was said weighed all the grain, and they knew of no other State in the Union where a bag or two was weighed and the rest estimated. At a meeting held April 14, 1833, Dr. Thomson announced the death of C. P. Holcomb, who was for a number of years corresponding secretary. The society passed resolutions in honor of his memory and a copy was forwarded to the United States Agricultural Society, of which he was vice-president. At a special meeting in 1859, the minutes state that the hearts of the few who always attend the society's meetings were made glad by seeing a large number of members present. They then decided to hold the fair three instead of two days as heretofore. The president reported that a quarter mile race track could be built for three hundred dollars, and Messrs. Griffin, Springer, Allmond and Lobdell were appointed to raise the amount. It was also decided to offer fifty dollars for the fastest horse, mare or gelding; twenty-five dollars for the second and ten dollars for the third providing they could raise money to build the race course. This inauguration of horse trotting met with considerable opposition and the premiums offered were considered very liberal. April 14, 1860, the committee on procuring grounds reported in favor of the Brobson property on Kennet Pike, which could be had for seventeen thousand dollars, and at the next meeting it was decided to make the purchase. About this time the by-laws were changed, and a silver pitcher was presented to Bryan Jackson for the interest which he had always manifested in the society.

In 1865, Samuel Canby resigned the presidency and several directors also retired. Zadock R. Townsend was appointed president, and the vacancies in the board of directors were filled. It was resolved to purchase that portion of the original agricultural farm included between Woodland Avenue and Green Hill Avenue, on the line of Seventh Street, and the northern boundary of the exhibition ground. About 1869 the financial affairs of the company became embarrassed, and in 1870, at a meeting at which Messrs. Townsend, Rogers, Hurst, Thacher and Stidham were present, it was ordered that the secretary address a circular to each stockholder stating that the directors were not able to obtain the minimum price of thirty thousand dollars that had been fixed on the property and asking for their direct vote authorizing its sale at the discretion of those having the matter in charge. In 1871 George R. Lobdell was elected president, and Dr. A. H. Grimshaw secretary and treasurer. The committee finally sold the grounds to the Wilmington Rifle Club for twenty-five thousand dollars. The last meeting of the society that is reported in the minutes took place January 11, 1872, after which it expired.

In 1848, the horticultural division of the New Castle County Society became a separate society

with Samuel Hilles president and William Canby secretary. This organization held meetings in the City Hall, Odd Fellows Hall and finally in the Wilmington Institute Building until about 1865. Great interest was taken in this society for a time. Its last officers were William Canby president, Edward Tatnall, secretary and S. D. Smith treasurer. The proceeds of the last five or six exhibitions amounting to some two hundred dollars annually were given to the Home for friendless and destitute children.

Anthony M. Higgins has kindly supplied his recollections of agricultural reform in New Castle County, beginning after the completion of the Chesapeake and Delaware Canal in 1828. "The canal," he says, "ran through the middle of a district embracing the Hundreds of New Castle, Red Lion and St. George's, unexcelled for its natural good qualities for all kinds of grain and grapes. Up to the period above mentioned it may truly be said that seven-tenths of the arable land, with the exception of the meadow farms bordering the Delaware River, was so reduced by improvident cultivation as to scarcely average twenty bushels of corn or ten bushels of wheat per acre.

The canal was contracted for up to what was called the Deep Cut, and constructed by five energetic farmers, owning their own farms along its borders, viz., Philip Reybold, John C. Clark, William J. Hurlock, James T. Bird, Henry Cazier.

After its completion these gentlemen directed their energies not only to the improvement of their home farms, but had the sagacity to buy up any farms that came into the market, thus laying the foundation of large fortunes.

Until this time the valuable qualities of lime for the improvement of the soil were little known. An enterprising and scientific gentleman, Doctor James N. Sutton, of St. George's, in a series of articles in a Wilmington newspaper, called the attention of farmers to its great value for this purpose.

In the meantime he located a lime-kiln on the south side of the canal at St. George's, the limestone being transported by vessels from the Schuylkill, and for several years sold the lime at twenty-five cents per bushel. About this time there was an interesting illustration of the efficacy of lime as an instrument in the successful growth of crops. There was, however, much skepticism among the farmers as to its value.

The lock at St. George's was being dug out, and ran through what was then called black dirt, which was in reality a bed of shell marl, containing from eighteen to twenty-five per cent. of the carbonate of lime.

William J. Hurlock, one of the contractors whose land bordered on the canal, ordered his teams to return home at night loaded with black dirt, which he dumped in a thirty-acre field along the canal. With this dressing, together with a dressing of sta-

ble manure, the field was ploughed up and put in corn,—carefully tilled by one of the best practical farmers of those times.

During the summer a passenger line of barges drawn by horses, called the "People's Line" in opposition to the New Castle and Frenchtown Railroad, ran through the canal. As a people's man, President Jackson chose this route on his northern tour. His attention was directed to the size of the corn, as he passed by the field, of Hon. Louis McLane, of Delaware, then his Secretary of the Treasury, who was standing by his side. After looking at it for some time, the President exclaimed: "By the eternal, it is equal to anything I have seen in Tennessee." The product was carefully measured and showed a yield of ninety-two bushels per acre.

"From this date agricultural reformation spread rapidly, aided greatly by one of the first successful agricultural societies ever organized in the United States, the New Castle County Society, already spoken of. This association grew to large proportions and attracted visitors from adjacent counties and surrounding States to listen to addresses from distinguished men, such as ex-Senator Jonathan Roberts, of Pennsylvania; John S. Skinner, founder and the able editor of the *Baltimore American Farmer*, which is continued into these later times by Samuel Sands and his son. There was then no necessity to attract the people by horse trotting, for compensation ploughing matches were quite as entertaining and much more useful. The general display of stock at that period has never been equaled since.

"Prominent among the exhibitors of stock may be named the Du Pont herd of Durhams, the celebrated Cotswold sheep, imported by Major Reybold, and subsequently the Devon herd of pure Devons introduced by the late lamented Chauncy P. Holcomb. The agricultural interest sustained a great loss at his death, in view of the intelligent energy he displayed in everything calculated to promote its interest.

"In 1833 I commenced farming and immediately subscribed for a live agricultural paper—for a few years it was the *Albany Cultivator* but subsequently found the *American Farmer*, of Baltimore, best suited of all leading journals to our soil and climate and for more than forty years this was a most welcome and instructive monthly visitor. In 1852 I requested some of my neighbors to furnish the figures in detail of the last year's produce of their farms for publication in the *Farmer*. The request was promptly complied with and the statements as given were published in the *Farmer*.

Bryan Jackson's Property; Two Hundred and Twenty Acres; Assessed Value, \$18,810.

| | |
|---|------------|
| 28 acres wheat, yielding 32 bush. per acre, at \$1.45 per bush..... | \$1,280 20 |
| 41 acres corn, yielding 60 bush. per acre, at 65c. per bush..... | 1,332 50 |
| 20 acres barley, yielding 35 bush. per acre, at 75c. per bush..... | 525 00 |
| 20 acres oats, yielding 50 bush. per acre, at 42c. per bush..... | 420 00 |
| 40 acres timothy and clover hay, yielding 2 tons per acre, one-half sold at \$18 per ton..... | 750 00 |
| Butter..... | 300 00 |
| Cotswold sheep..... | 671 00 |

| | |
|--|----------|
| Fat cattle..... | 500 00 |
| Potatoes on 3 acres..... | 330 00 |
| | \$907 70 |
| Labor of four men, board included..... | \$800 00 |

George Z. Tybout's Property; Two Hundred Acres Arable, Eighty-eight Meadow.

| | |
|---|------------|
| 30 acres (corn-ground) wheat, yielding 15 bush. per acre, and 27 acres, yielding 31 bush. per acre, at \$1.45 per bush..... | \$1,865 00 |
| 33 acres oats, yielding 40 bush. per acre, at 40c. per bush..... | 528 00 |
| 31 acres corn, yielding 55 bush. per acre, at 65c. per bush..... | 1,108 00 |
| Potatoes..... | 10 00 |
| Calves..... | 18 00 |
| 16 tons timothy hay, sold at \$15 per ton..... | 225 00 |
| Net profit on fat cattle for the season..... | 1,650 00 |
| Labor of five men, board included..... | 1,000 00 |

John C. Clark's Property,—“Prospect Fair,”—embracing Eight Hundred Acres, of which Two Hundred Acres are Meadow. Assessed Value, \$53,040.

| | |
|---|-------------|
| 100 acres peaches, yielding 71 bush. per acre, at 50c. per bush..... | \$3,500 00 |
| 60 acres wheat, yielding 32 bush. per acre, and 40 acres (corn-ground), yielding 16 bush. per acre, at \$1.45 per bush..... | 3,722 00 |
| 100 acres corn, yielding 40 bush. per acre, at 65c. per bush..... | 2,600 00 |
| 30 acres oats, yielding 50 bush. per acre, at 40c. per bush..... | 600 00 |
| 100 tons timothy and clover hay, at \$15 per ton..... | 1,500 00 |
| 100 bush. clover seed, at \$5 per bush..... | 500 00 |
| 25 bush. timothy seed, at \$4 per bush..... | 100 00 |
| Butter from 70 cows..... | 1,000 00 |
| Calves..... | 250 00 |
| Net profit on 50 head of fat cattle..... | 1,250 00 |
| “ “ “ dry cows..... | 400 00 |
| 500 wethers and ewes..... | 1,000 00 |
| 1500 pounds of wool, at 40c. per pound..... | 600 00 |
| Net on dairy hogs..... | 250 00 |
| Pumpkins..... | 100 00 |
| 4 acres pears..... | 350 00 |
| Gooseberries..... | 25 00 |
| 5 acres potatoes..... | 400 00 |
| | \$18,747 00 |
| Labor of ten men, including board..... | 2,000 00 |
| | \$16,747 00 |

The Mansion Farm, “Marsh Mont,” Philip Reybold; Three Hundred and Three Acres Arable Land and One Hundred and Thirty-nine Acres of Embanked Meadow. Assessed Value, \$31,655.

| | |
|--|-------------|
| 67 Cotswold sheep, bucks and ewes, for breeders, sold for..... | \$2,950 00 |
| 5 fat muttons, sold for \$35 each..... | 175 00 |
| Wool..... | 500 00 |
| Calves..... | 110 00 |
| Butter from 55 cows..... | 1,050 00 |
| Net on dairy hogs..... | 140 00 |
| 2328 baskets peaches, at 54c., clear of freight..... | 4,497 00 |
| 500 bushels white wheat, at \$1.60, and 1054 bushels red wheat, at \$1.45..... | 2,328 30 |
| 1400 bushels corn, at 65c..... | 910 00 |
| 1000 bushels oats, at 40c..... | 400 00 |
| 50 tons timothy hay, at \$15 per ton..... | 750 00 |
| | \$14,410 30 |
| Seven hands, including board..... | 1,400 00 |
| | \$13,010 30 |

KENT COUNTY AGRICULTURAL SOCIETY was first organized in 1835. At the third annual meeting held at Dover, in 1838, a committee of two members from each hundred was appointed to receive the names of those desirous of becoming members. The following committees were then appointed: Duck Creek, Robert W. Reynolds, Robert Palmatary; Little Creek, Elias Naudain and Chas. Harper; Dover, John M. Clayton, William T. Milburne; Murderkill, Samuel Hawley, Joel Clement; Milford, Peter F. Causey, Justus Lowery; Mispillion, David Taylor, Robert Sordon. A committee to arrange for the next exhibi-

bition was appointed, consisting of M. W. Bates, G. W. Cummins, Jacob Raymond, Justus Lowery and T. L. Temple. S. M. Harrington, T. L. Temple and H. Todd were appointed to provide accommodations for stock. The third annual exhibition was held at Dover October 4, 1838, Cornelius P. Comegys, president. The following were among the premiums awarded. To John and Ebenezer Cloak for best stallion over three years old; Thos. Wallace, best colt; Thos. L. Temple, best brood mare; Jonathan Jenkins, best heifer; Thos. L. Temple, best calf; Henry Cowgill, best ram; David Onins and Jacob Kerbin exhibited two large yoke of oxen. Geo. W. Cummins grew 39 acres of wheat, averaging 25 bushels to the acre. Mrs. Ann Hayes was given a premium for best specimen of sewing silk of her own manufacture. Mrs. Chas. Kimmey, Sr., exhibited a beautiful specimen of white silk in large hanks, her own raising from the silkworm. There were a few other small premiums awarded, but the whole proceedings show that the society was in an imperfect condition, though supported by the most influential men in the county. The officers for 1839 were: President, C. P. Comegys; Vice-Presidents, Benjamin Coombe, John Cowgill, David Onins, Samuel Thawley, William Masten and Peter F. Causey; Corresponding Secretary, Henry M. Ridgely; Recording Secretary, Jos. P. Comegys; Treasurer, Caleb H. Sipple.

This society continued for a number of years, and was eventually discontinued, only to be revived through the medium of the State Agricultural Society.

STATE AGRICULTURAL SOCIETY.—The first State Society was organized pursuant to a call published in the newspapers, which induced a large number of farmers to assemble at Dover on January 17, 1849. The convention was organized by appointing John Clark president; Giles Lambson, Jacob M. Hill and Chas. Wright, vice-presidents; and Manlove Hayes, Jr., secretary. A State Agricultural Society was organized, a constitution and by-laws were adopted, and the following officers elected. President, Peter F. Causey; Vice-Presidents, John D. Dilworth, Dr. H. Ridgely, T. P. McColley; Treasurer, Dr. William Burton; Corresponding Secretaries, A. M. Higgins, W. Du Hamel, P. N. Rust; Recording Secretary, Manlove Hayes, Jr.; Managers, Daniel Corbit, David W. Gemmill, J. P. Bellville, Jacob M. Hill, John Frazer, James G. Waples, Jonathan R. Torbert, Lemuel Draper, Chas. Wright.

The following roll of members contains the names of many of the most prominent agriculturists then resident in the State: William Tharp, John C. Clark, Giles Lamson, J. M. Hill, Charles Wright, T. P. McColley, D. W. Gemmill, M. Du Hamel, Thomas Bird, Chauncey P. Holcomb, Peter F. Causey, William Cowgill, William Burton, M.D., Samuel R. Paynter, John Jones, J. K. Mitchell, M.D., H. B. Fiddeman, Samuel Draper, Anthony Higgins, William J. Hurlock, Isaac Jump, M.D., Henry Ridgely, M.D., James G. Waples, William H. Ross, N. D. Wilds, W. V.

Coulter, William R. Cahoon, James V. Moore, George W. Karsner, John Whitby, Charles Marim, Samuel Higgins, John Appleton, Bryan Jackson, Eugene Ridgely, Edward W. Wilson, George Z. Tybout, Thomas Wilson, John Frazier, Charles Wharton, William D. Clark, Walker Mitflin, Francis B. Harper, Alexander Johnson, Benjamin Gibbs, George Davis, William Thompson, Saxe Gotha Laws, Michael Lowber, Daniel Corbit, Isaac Dolby, John D. Dilworth, Caleb H. Sipple, George W. Cummings, T. L. Davis, James Postles, Henry Cowgill, Daniel Cummings, Caleb S. Layton, James S. Buckmaster, George R. Fisher, John Martin, M.D., S. M. Harrington, G. W. Green, J. P. Bellville, Levi G. Clark, Peter R. Rust, George Maxwell, Abraham Postles, Jonathan R. Torbert, M. Hayes, Jr., Henry Todd, John R. Sudler, M.D., Jacob Raymond.

This first State organization did not hold any fairs, but it promoted discussion on agricultural subjects, and out of it grew the revived Kent County Agricultural Society, in 1854, which, in 1856, had these officers: President, Thomas B. Coursey; Vice-Presidents, Alexander Johnson, Jonathan Brown; Recording Secretary, George W. S. Nicholson; Corresponding Secretary, Manlove Hayes; Board of Managers, T. B. Lockwood, Jacob Williams, William Du Hamel, James Woodall, Jacob H. Hill, James G. Waples, Henry Cowgill, McElroy Melvain, Charles Warren, Alexander Johnson, William S. Haman, Clement L. Sharp; Treasurer, Dr. Henry Ridgely.

In 1857, Dr. G. Emerson delivered before the society an instructive address, descriptive of the soil of Delaware, and the fertilizers needed. In 1859, Dr. Henry Ridgely delivered the annual address, and in 1860 Manlove Hayes was the orator. In 1872, Dr. G. Emerson delivered an address on drainage before the *Farmers' Club of Kent County*. These addresses have been bound and preserved by Manlove Hayes.

The present State organization grew out of the latest organized Kent County Agricultural Society, which was formed in January, 1878. The charter members were Thomas H. Denney, John Moore, J. Frank Denney, Edmond Bailey, Daniel P. Barnard, Jr., Joseph McDaniel, John D. Burton, William P. Seward, Richard Harrington and John B. Wharton. Thomas H. Denney was the first president, and William H. Wallace was the first secretary. In 1879 the charter was changed, and it became "The State Agricultural Society of Delaware," into which all the county associations were virtually, though not formally, merged. When the society was reorganized, Thomas H. Denney was re-elected president, a position which he held until just before he died, in 1884. Then J. Frank Denney was chosen president, and still holds the office.

Richard Harrington was elected secretary in 1879; Daniel P. Barnard, Jr., was elected in 1880 and has been continued ever since. The State Board is selected by the stockholders and consists of twenty-seven members, the president and secretary being

ex-officio members. This board meets and selects from its number nine members, who are called the board of managers, who, with the president and secretary, have full control of the fair. The company consists of one hundred and eighty-seven stockholders at present, having \$8450 worth of stock. They own thirty-five acres of land adjoining the town of Dover, which, together with the improvements thereon, is estimated to be worth \$19,498.78. The improvements consist of two grand stands and exhibition buildings, capable of holding two thousand two hundred, and five hundred and seventy-five persons respectively. These structures are well built and permanent. The premium list is steadily growing and the interest taken by the people is commendable, the ladies being especially distinguished in this respect. The premiums are widely distributed, requiring three hundred and nineteen checks to pay those of 1857, which aggregated \$2000 in the agricultural department alone, and nearly \$3000 in the speed department. The society belongs to the National Trotting Association and charges ten per cent. entrance fee for trotting horses, which helps make up premiums. The trains stop at the grounds. The officers and directors, who are also members of the State Board, were as follows for 1887: President, J. Frank Denney; Secretary, D. P. Barnard, Jr.; Treasurer, J. D. Burton; Corresponding Secretary, Manlove Hayes; Directors, Albert Curry, Geo. G. Lobdell, Ebe Tunnell, John B. Wharton, Alex. Johnson, Robert Denney, Geo. M. Fisher, Manlove Hayes, Wm. R. Allaband, Wm. G. Postles, Wm. P. Seward, Harbeson Hickman, A. S. Small, Wilson L. Cannon, Jabez Jenkins, Wilbur H. Burnite, S. D. Roe, Geo. W. Collins, H. A. Richardson, Thos. W. Wilson, Edmond Bailey, E. L. Martin, Joseph McDaniel, John Heitshu, J. D. Burton, J. Colby Smith, E. H. Bancroft.

THE PENINSULA AGRICULTURAL AND POMOLOGICAL ASSOCIATION was organized in Middletown, in 1874. Chas. Beaston was the first president; William R. Cochran, vice-president; J. Thomas Budd, secretary; Edward Reynolds, treasurer; and L. P. McDowell, Edward Lockwood and R. A. Cochran, Jr., were directors. The association rented grounds, erected buildings and fences and made a half-mile track, at an expense of some six thousand dollars.

The first fair was held in September, 1874, under favorable auspices. The people were addressed by Hon. Thomas F. Bayard and Charles Beaston, the president of the society; the attendance was large and so continued for a number of years. In 1877 William R. Cochran became president and continued to hold that office until 1883. James B. Clarkson succeeded Mr. Budd as secretary and was successively followed by James B. Nandain and W. Scott Way. In 1883 the buildings were sold and the proceeds were distributed among the share-holders of the association.

The following statistics gathered from the census reports will show the extent and value of the agricultural products of the State of Delaware since 1850:

| | 1850. | 1860. |
|--|--------------|--------------|
| Number of acres of improved land..... | 637,065 | 637,065 |
| Number of acres of unimproved land..... | 367,230 | 367,230 |
| Value..... | \$31,420,337 | \$31,420,337 |
| Value of farming implements..... | \$817,843 | \$817,843 |
| Number of bushels of wheat..... | 482,511 | 912,941 |
| Number of bushels of corn..... | | 3,492,337 |
| Number of bushels of rye..... | 8,095 | 27,209 |
| Number of bushels of oats..... | 604,518 | 1,046,210 |
| Number of bushels of barley..... | 56 | 3,616 |
| Number of bushels of buckwheat..... | 8,615 | 16,355 |
| Number of bushels of peas and beans..... | 4,120 | 7,438 |
| Number of bushels of potatoes..... | 240,542 | 377,631 |
| Number of bushels of sweet potatoes..... | | 142,213 |
| Number of pounds of butter..... | 1,055,309 | 1,430,742 |
| Number of pounds of cheese..... | 3,187 | 6,576 |
| Number of pounds of wool..... | 57,708 | 51,291 |
| Number of pounds of flax..... | 11,174 | 9,112 |
| Number of pounds of flax-seed..... | | 2,128 |
| Number of pounds of hops..... | | 414 |
| Number of pounds of tobacco..... | | 9,689 |
| Number of gallons of sorghum..... | | 1,163 |

In 1860 the number of horses was 16,562; asses, 2294; working oxen, 9530; milch cows, 22,595; other cattle, 25,596; sheep, 18,857; swine, 47,848. Total value of live stock \$3,144,706.

In 1870 the number of acres of land in farms was 698,115; woodland, 295,162; other unimproved land, 59,045; having a cash value as follows: Farms, \$46,712,870; farming implements, \$1,201,644; amount of wages paid during the year, including board, \$1,696,571; estimated value of all farm productions, including betterments and additions to stock, \$8,171,667; value of orchard products, \$1,226,893; value of market garden products, \$198,075.

The amount of improved land has been increasing slowly every decade. The amount of improved land in 1860 was 637,065 acres; in 1870, 698,115; in 1880, 746,958. The amount of unimproved land reported in 1860 was 367,230 acres; in 1870, 354,207 acres; in 1880, 343,287.

The census of 1880 showed that the value of the farms at that time was \$36,789,672; of farming implements, \$1,504,567; live stock, \$3,420,080. The estimated value of farm products sold, consumed and on hand for 1879 was \$6,320,345. The number of horses in 1880 was 21,933; mules and asses, 3031; working oxen, 5818; milch cows, 27,284; other cattle, 20,450; sheep, 21,967; swine, 48,186. Number of pounds of wool, 97,946. Number of gallons of milk sold and sent to butter and cheese factories, 1,132,434; number of pounds of butter, 1,876,275; cheese, 71,812.

The amount in bushels in 1879 of barley was 528; buckwheat, 5857; Indian corn, 3,894,264; oats, 378,508; rye, 5953; wheat, 1,175,272; flax-seed, 29,555 pounds, sorghum, 17,012 gallons; hay, 49,632 tons; clover-seed, 396 bushels.

Number of barn-yard fowls, 268,692; other kinds of poultry, 96,207; number of dozens of eggs, 1,427,087; honey, 76,234 pounds; beeswax, 2151 pounds; tobacco, 1278 pounds; potatoes, 283,864 bushels; sweet potatoes, 195,937 bushels. Value of the orchard products of all kinds, sold and consumed, \$846,692. Value of market garden products, \$166,575. Amount of wood cut, 103,890 cords; value, \$274,885.

IMPROVEMENT OF MARSHES.—As the peninsula of which Delaware forms a part consists of flat land lying low between the two great bays which embrace it on either side, the land in the vicinity of the coast and near the outlet of the principal streams is in many places low marsh, and what is here called "cripple." These marsh lands are unfit for cultivation until they are drained, or in some cases not until embankments are built along the river-sides to prevent the overflowing freshets and tides.

The early Swedish and Dutch settlers, the latter in particular, came from a country that had been wrested from the ocean in part. Taking their departure from the dykes of Amsterdam, it was in keeping with the habits of generations of their ancestors that they should begin the same kind of work here, even if a continent of uncultivated lands lay within view and could be had for the occupancy. Hence it appears that the people began to build dykes and drain the marshes by sluices soon after settlement. The first narrative obtained is of the dyke at New Castle, an account of which will be found in the history of that town, and in 1712 an act was passed for keeping it in repair. The lands along the banks were in possession of John Donaldson, Robert French and Richard Halliwell.

An act was passed in 1727 which permitted the draining of the marsh on the southwest side of the town, known as Cow Marsh, and a little later one for keeping in repair the dyke and sluices belonging to the marshes at Swanwyck, which lay to the north of and adjoining New Castle.

Dams, sluices and banks were built along the streams and the bay for many years as private property, and no legal action was taken that is of record until from 1779, when private acts were granted. A list is here given with dates and localities:

- February 1, 1779.—Supplement to act, entitled an act to enable owners of meadow, marsh and cripple on the south side of Christina Creek, called Fearn Brook Marsh, and of the marsh above on the same side, called Bozman's Marsh in New Castle County, to keep banks, dams and sluices in repair.
- April 15, 1780.—An act to drain the marsh, cripple and low land on Morris's branch in Appoquinimink Hundred, New Castle County.
- June 18, 1781.—Supplement to act of March 24, 1770, to keep banks, dams and sluices in repair on a marsh on both sides of Mill Creek below the town of New Castle.
- June 8, 1787.—Act to enable owners of marsh situated on Little St. George's Creek in St. George's Hundred, to build dams, etc., and keep them in repair.
- February 5, 1785.—Act to permit owners of marsh on Cedar Creek, Red Lion Hundred, to erect a new bank in part and keep the old bank, dams, etc., in repair.
- February 2, 1788.—Act for sloping St. George's Creek and embanking and draining about three thousand acres of land lying in Red Lion and St. George's Hundred, and keeping banks, etc., in repair.
- January 27, 1790.—Act to drain the meadows on both sides of Silver Run, fronting the Delaware, St. George's Hundred.
- February 2, 1793.—Act for improvement of marsh, commonly called Mill Creek Marshes, situated on St. Jones River in Kent County.
- June 17, 1793.—Act to enable the owners of Cow Marsh, in the forest of Murderkill Hundred, to cut a ditch through the same.
- January, 1794.—To enable owners to cut a ditch through Marshy Hope Marsh, in Mispillion Hundred.
- January 18, 1800.—Act to enable owners of Culbreth's Marsh, in the forest of Murderkill Hundred, Kent County, to cut a ditch through the same.
- January 16, 1800.—To cut a ditch through Tappan's Marsh, in now West Dover Hundred, Kent County.
- January 23, 1800.—Supplement to an act to enable owners of Mill Creek Marshes, adjoining Lewden's Island, to keep banks, dams and sluices in repair.

- drained, to embank and drain the same and keep outside banks in good repair.
- 1801.—To cut ditch in the swamps and low lands in the head-waters of Chester River, in the forest of Duck Creek Hundred (now Kenton).
- January 27, 1801.—To cut a ditch through Fishing Creek Marsh, now Milford Hundred.
- January 27, 1802.—To cut a ditch through "Wild Cat Swamp," in Murderkill Hundred.
- January 18, 1803.—Act authorizing John Bowers to cut a ditch across the public road running across Mulberry Point or Bower's Beach, in Murderkill Hundred, and to build bridge over it.
- January 26, 1804.—To cut a ditch through a marsh on Meredith's Branch, in the forest of Murderkill Hundred.
- January 26, 1804.—To drain and bank Swan Creek Marsh and cripple in Mispillion Hundred (now Milford).
- January 11, 1805.—To incorporate owners of Brandywine Marsh into a company, for the purpose of draining the same.
- January 24, 1805.—To incorporate into a company the owners of Pot-hooks Marsh, Sussex County.
- January 25, 1805.—To enable owners of marsh on Hudson's Branch, in the forest of Murderkill Hundred, to cut a ditch through the marsh.
- January 31, 1806.—To drain marshes on Ingram's Branch in the Forest of Mispillion Hundred.
- January 23, 1808.—To incorporate the "Dragon Canal Company" for the purpose of draining the marshes on Dragon Run, in Red Lion Hundred.
- January, 1808.—To enable the owners of the marsh known as "Dick's Savanna," at the head of Indian Run in Dagsborough Hundred, Sussex County, to drain the same.
- January 25, 1810.—To enable the owner of the branch and low ground extending from the bridge in North Street, in Dover, near the Methodist Church, through the westerly and southerly parts of the town land of Dover to St. Jones Creek to cut and support a ditch through branch and low grounds.
- 1810.—To enable owners of Meadow Marsh and cripple on both sides of the northwest branch of Duck Creek, below Eagle's Nest Landing, to embank and drain the same.
- January 21, 1811.—To drain the marshes at the head-waters of Black-water Mill Pond, in Baltimore Hundred, Sussex County.
- January 21, 1811.—Act to drain the swamps in the upper part of Cedar Creek Hundred, Sussex County.
- January 29, 1811.—To drain the low ground adjoining Yellow Branch, in Dagsborough Hundred, Sussex County.
- February 3, 1811.—To drain the marshes on Heron Gut, in Little Creek Hundred, Kent County.
- Same date.—To enable the embanking or wharfing the waters of a certain ditch leading from Little Bay, in Baltimore Hundred, to the head-waters of Synepuxent Bay.
- February 12, 1812.—To enable the owners of the second cove of marsh to the northward of the wild marsh on the north side of Appoquinimink Creek, St. George's Hundred to erect, maintain, and keep in repair all banks, dams, sluices, etc.

PATRONS OF HUSBANDRY.—Mr. Hamilton, then a resident of California, organized the first grange of the Patrons of Husbandry in Delaware, in West Brandywine Hundred in 1874. A number of granges were established that year and a State Grange also formed with John J. Rosa, a farmer in Milford, the first Master. He held the office eight years, when he was succeeded by Henry Thompson, who held the position four years, and was succeeded by A. N. Brown, of Wyoming, the present incumbent. The full list of officers for 1886-88 is A. N. Brown, *Master*; John Heyd, *Overseer*; John C. Higgins, *Lecturer*; A. K. Cole, *Steward*; William Peach, *Assistant Steward*; J. W. Day, *Chaplain*; T. H. Riggan, *Treasurer*; Geo. A. Jones, *Secretary*; H. D. Learned, *Gate-Keeper*; Alice R. Brown, *Ceres*; Anna Heyd, *Pomona*; Phebe J. Riggan, *Flora*; Hannah Day, *Stewardess*. The following subordinate granges were in active operation in the State at last report, Union, No. 1, 27 members; Hockessin, No. 4, 30 members; Newark, No. 5, 71 members; Milford, No. 6, 16 members; Sunnyside, No. 7, 27 members; Excelsior, No. 8, 13 members; Port Penn, No. 9, 51 members; Centre, No. 11, 27 members; Harmony, No.

12, 33 members; West Brandywine, No. 13, 90 members; Fruitland, No. 16, 119 members; Capital, No. 18, 33 members; Harrington, No. 19, 35 members; Smyrna, No. 21, 32 members; Trophy, No. 22, 86 members; Little Creek, No. 23, 13 members; Laurel, No. 24, 13 members; Midland, No. 27, 21 members; Rehoboth, No. 28, 22 members; Evergreen, No. 29, 26 members; Fairmount, No. 31, 13 members; Oak Grove, No. 32, 13 members; Friendship, No. 33, 30 members; Washington, No. 34, 18 members; Champion, No. 35, 26 members; Cereal, No. 36, 20 members, making a total membership of 911 persons.

The Patrons of Husbandry are an order composed of tillers of the soil, whose object is to promote the moral, intellectual and material interests of its members. To this end considerable attention is given to the public-school system of the Commonwealth and means of increasing popular education are discussed. The order appoints committees on legislation and does not hesitate to advocate Constitutional reform, a change in the tax laws, and temperance principles. On this point, in his report, Henry Thompson says: "No organization takes more interest in the education and care of the young; no organization takes more pride in our rural homes, in which we were reared, and from which come our greatest and most honored men. Then why not place our order in line with our other work, and with other organizations, with which we have a deep sympathy, and stand boldly for God, Home and Native Land?" The grange by concerted action seeks to have freight rates on perishable fruits lessened and made uniform. They advocate the establishing of Farmers' Institutes in every county wherein matters pertaining to farming shall be intelligently discussed. They advocate the improvement of the drainage system of the State; also a system of reading and study similar to the Chautauqua system for farmers. Co-operation is an essential principle of the order, and by dispensing with middle-men, members of the order have obtained farming and household supplies at reduced rates. In a word, the spirit of the order is progressive, tending to promote good-fellowship, thrift and industry among the farmers of the State.

1. New Castle County District Grange: D. J. Murphy, master, and Sister S. D. Hill, secretary.

2. Kent County District Grange: W. H. Burnite, master, and Wesley Webb, secretary.

3. Sussex County District Grange: Thos. J. Perry, master, and S. Harrington Messick, secretary.

Delaware State Grange, organized in Wilmington, Del., March 2, 1875, by W. Master J. M. Hamilton, of California, and the following officers elected: 1. John J. Rosa, W. M.; 2. George Jackson, O.; 3. Thos. F. Dilworth, L.; 4. Henry Thompson, S.; 5. James M. Shakespeare, A. S.; 6. John W. Day, chaplain; 7. James M. Bracken, treasurer; 8. Wm. C. Weir, secretary; 9. Wm. Dean, G. K.; 10. Sister E. M. Dilworth, Ceres; 11. Sister — Jackson,

Pomona; 12. Sister — Day, Flora; and 13. Sister — McCullough, L. A. Steward.

PATRONS OF HUSBANDRY OR STATE GRANGE.

| No. of Granges. | Names of the Subordinate Granges in Delaware. | Time of Organization. | No. of Charter Members. | Where Located. |
|-----------------|---|-----------------------|-------------------------|-----------------------------|
| 1 | Union Grange..... | Feb. 16, 1874..... | 30 | Mill Creek, New Castle Co. |
| 2 | Diamond State..... | Feb. 27, 1874..... | 23 | Newport, New Castle Co. |
| 3 | Peach Blossom..... | March 7, 1874..... | 27 | Middletown, N. Castle Co. |
| 4 | Hockessin..... | March 18, 1874..... | 29 | Brackenville, N. Castle Co. |
| 5 | Newark..... | March 30, 1874..... | 26 | Newark, New Castle Co. |
| 6 | Milford..... | April 6, 1874..... | 30 | Milford, Kent Co. |
| 7 | Sunnyside..... | April 7, 1874..... | 19 | Bridgeville, Sussex Co. |
| 8 | Excelsior..... | April 20, 1874..... | 27 | Frederica, Kent Co. |
| 9 | Port Penn..... | April 21, 1874..... | 28 | Port Penn, New Castle Co. |
| 10 | Rural..... | June 4, 1874..... | 30 | Leipsic, Kent Co. |
| 11 | Centre..... | June 13, 1874..... | 27 | Christiana, N. Castle Co. |
| 12 | Harmony..... | June 22, 1874..... | 29 | Mill Creek, New Castle Co. |
| 13 | W. Brandywine..... | Aug. 5, 1874..... | 30 | E. Brandywine, N. C. Co. |
| 14 | Cent. Brandywine..... | Aug. 31, 1874..... | 19 | E. Brandywine, N. C. Co. |
| 15 | Bellevue..... | Oct. 10, 1874..... | 18 | E. Brandywine, N. C. Co. |
| 16 | Fruitland..... | Nov. 6, 1874..... | 25 | Wyoming, Kent Co. |
| 17 | Wilmington..... | Jan. 23, 1875..... | 30 | Wilmington, N. Castle Co. |
| 18 | Capital..... | Feb. 17, 1875..... | 15 | Dover, Kent Co. |
| 19 | Harrington..... | March 27, 1875..... | 25 | Harrington, Kent Co. |
| 20 | Farmington..... | May 29, 1875..... | 36 | Farmington, Kent Co. |
| 21 | Smyrna..... | June 19, 1875..... | 24 | Smyrna, Kent Co. |
| 22 | Felton..... | July 31, 1875..... | 29 | Felton, Kent Co. |
| 23 | Little Creek..... | Oct. 22, 1875..... | 34 | Lit. Cr. Hd., Sussex Co. |
| 24 | Laurel..... | Dec. 13, 1875..... | 32 | Laurel, Sussex Co. |
| 25 | Seaford..... | Feb. 28, 1876..... | 26 | Seaford, Sussex Co. |
| 26 | Bayside..... | Feb. 16, 1878..... | 19 | Milford Hd., Kent Co. |
| 27 | Midland..... | Jan. 26, 1882..... | 13 | Dagsboro' Hd., Sussex Co. |
| 28 | Rehoboth..... | 1882..... | 15 | Rehoboth, Sussex Co. |
| 29 | Evergreen..... | 1882..... | 17 | Broadkill Hd., Sussex Co. |
| 30 | Riverside..... | 1882..... | 16 | Broadkill Hd., Sussex Co. |
| 31 | Fairmount..... | February, 1883..... | 16 | Ind. Riv. Hd., Sussex Co. |
| 32 | Oak Grove..... | Feb. 2, 1883..... | 14 | Frankford, Sussex Co. |
| 33 | Friendship..... | Feb. 9, 1883..... | 13 | Selbyville, Sussex Co. |
| 34 | Washington..... | Feb. 22, 1883..... | 13 | Ocean View, Sussex Co. |
| 35 | Champion..... | March 9, 1883..... | 16 | Magnolia, Kent Co. |
| 36 | Cereal..... | March 12, 1886..... | 14 | Down's Chapel, Kent Co. |

PEACHES IN DELAWARE.¹—It is probable that the earliest settlers in Delaware planted both apple and peach trees. William Penn found such trees here on his first visit. On July 18, 1676, John Richardson had surveyed to him 2000 acres of land in what is now Little Creek Hundred, Kent County, and on the 18th of August following, he made an agreement with Thomas Crampton to live on the place, care for it and the stock upon it, and to set out and care for three hundred apple trees for three years, which Richardson was to bring to the plantation.

Just when orchards were first set out in Lower Delaware does not appear, but it was probably early in the last century. Peaches were planted in New England about 1629, and Beverly says that peaches, nectarines and apricots were growing abundantly in Virginia in 1720, there being trees at that time twelve to thirteen inches in circumference. Peaches were taken to Louisiana by the Spaniards previous to its settlement by the French, and we are told that the peach orchards were killed by frost in New York in 1737. In 1735 George Roberts obtained peach-stones from Peter Collinson, of England, and planted the seeds on "Peach Blossom" plantation, at Easton, Talbot County, Md.

During the last century both apple and peach orchards became numerous in the lower part of Kent

¹ By Wesley Webb.

County and in portions of Sussex County. In 1795 orchards designated as "large peach orchards" were assessed to the following persons in Nanticoke Hundred: Arthur Fowler, Clement Laws, Matthew Merline, John Sharp, Joseph Tindall, John Laws, Elisha Evans and Richard Hotson. Hotson's place was eight miles from Milford.

In the same year it is recorded that John Sharp had an apple orchard of three hundred trees, Peter Jackson one of one hundred trees, and William Jones, Elisha Evans and Gove Fisher are mentioned as apple growers.

These apples were largely used for making brandy, many of the growers having distilleries.

Early in this century there were orchards of 1000 to 1500 trees in the neighborhood of Bridgeville. At this time, William Shockley planted an orchard of 500 trees near where the Episcopal Church now stands in Cedar Creek, and which was later owned by his son-in-law, John C. Davis. Levi Johnson had an orchard of similar size near Griffith's Mills, in Kent County, near Mispillion Creek. These orchards were in bearing about 1830, and were widely known because of their extent. In 1820, Thomas C. Atkins set out an orchard of several hundred trees near where Rodney Station now is, four miles from Georgetown, and in a few years increased them to 1200 trees.

This orchard bore abundant crops every other year for many years, and was in good condition in 1840. The fruit was used for making peach brandy. The farm is now owned by Daniel J. Layton. Captain John S. Atkins, who now has an orchard of 4000 trees near Georgetown, is a son of this Thomas C. Atkins.

It was early in the present century that boatmen found their way up the creeks to carry peaches from Murderkill and Mispillion Hundreds, and St. Jones' Neck, and probably from other points to New York and Philadelphia, where they sold at remunerative prices.

John Potter, of Milford, turned two boats which he owned to this trade during the peach season, for several years, between 1830 and 1835. He lived near the mouth of the creek, where his good wife would watch for the appearance up the bay of these boats returning from their city trips, when she, with horse and gig, would quickly visit the farmers of the hundred, and tell them to bring on their peaches, for the boats were coming.

Lewis Chamberlain was also quite a noted buyer of those times. Mr. H. W. McColley, then a young man, tells how he, on one occasion, with a vessel of his own loaded with cordwood for New York City, "dropped down" to the mouth of the creek, and having stowed the deck-load of wood so as to make a large bin in the centre of the deck, he filled this bin with natural peaches at forty cents per bushel. They were covered during the day with canvas and uncovered at night, throughout the trip. They arrived in New York in good condition, and sold for one dollar per bushel.

Up to this time the orchards were all seedlings or "native," and the fruit was used for home supply, for making brandy, for occasional shipment as described, and much was dried in the sun and used in the family or sent to market.

So far as can be learned, the first orchards of budded fruit set out in Delaware were planted near Delaware City in 1832 by Isaac Reeves. Mr. Reeves had been for some time engaged in peach-raising in Gloucester County, New Jersey, where he had in 1828 thirty acres in trees, and his father and brothers were among the early boatmen who carried this fruit from Lower Delaware to Philadelphia. In 1828 Mr. Reeves removed to Philadelphia, and soon after planted seventy or eighty acres in peach trees at Red Bank, New Jersey, and owned in 1830 or '31 altogether about one hundred and fifty acres set in orchards. He had in the mean time formed a partnership with Mr. Ridgeway, of Philadelphia, who in 1831 came into possession of some land at Delaware City. He told Mr. Reeves that as it was sandy land, he had better go down and look at it to see if it would produce peaches. Mr. Reeves visited the place and found large native trees of the Morris White, Oldmixon, Cling, and other varieties; so in 1832 he planted, where the Delaware Battery now stands, the first orchard of budded fruit, setting out thirty acres this year, as many more the year following, and had, in the neighborhood, one hundred acres in 1837. The first peaches were sent to market in 1835. In the latter year Major Reybold planted a small orchard, and in 1836 planted largely, as did also his sons William, Phillip, John, Anthony, and his son-in-law, John C. Clark, so that as early as 1840 they together had about six hundred acres in peach trees.

In 1838 Mr. Reeves planted an orchard of one hundred acres on the farm of Ayres & Thompson, between Wilmington and New Castle, and another of one hundred acres on the farm of Dr. Thompson, at Naaman's Creek (now Claymont), Delaware. From this time orchards spread along the Delaware and Chesapeake Canal, and the whole county began to be filled with peach trees.

The prices then ranged about as they do now, in ordinary years, from 30 cents to \$1.00 per basket, for about this time the fruit began first to be shipped in baskets of five-eighths of a bushel each. One year, when peaches were very high and scarce, Reeves netted \$16,000 from 7000 baskets, and in 1837 or '38 netted a like amount from 16,000 baskets. The following year he expected a crop of 25,000 baskets and a profit of at least \$20,000, but on the 14th of May a frost killed the entire crop, so that not ten baskets were gathered.

The Reybolds shipped as many as 200,000 baskets of fruit in one year, and in 1846 an excessive crop made the price so low that Major Reybold dumped his shipments for one day into the river at Philadelphia. The next day he had a fair market.

Soon after the Reybolds went into the business,

Jefferson Clark and Wm. D. Clark also planted large orchards near Delaware City, and about 1840 Wm. Polk at Liston's Tree, Simon Spearman on Duck Creek near Smyrna, Henry M. Todd at Dover, Jonathan Stites at the "Seven Hickories" west of Dover, Jehu M. Reed, two miles north of Frederica, and Dr. Emerson at Willing Brook, near Leipsic, all planted out large orchards. Jehu M. Reed was probably in the business before this date, and as early as 1843 sold budded trees to most of the farmers of Kent and Sussex Counties who put out orchards at that time. Mr. Reed shipped his fruit generally in boats from the creek near which he lived, but in years of scarcity of fruit, and consequent high prices, he sometimes hauled his crop to Short's Landing, on Duck Creek, a distance of nearly twenty-five miles, loaded in bulk into wagons without springs. Dr. Emerson shipped his in boats of his own; Henry M. Todd and Simon Spearman shipped theirs from Short's Landing on the steamer "Kent," which began to run in 1840 between that place and Philadelphia.

Soon after 1840 Wm. Atherly, Daniel Corbit, Jonathan Fennemore and others set out large orchards along Appoquinnimink Creek from Odessa down to near the river, and so large were their crops that they kept three lines of barges running daily to Philadelphia during the peach season; and as their fruit was of the finest quality and prices very good, they made fortunes in the business. In 1840 George Hickman, father of Harbeson Hickman, now an extensive land-owner, set out a large orchard near Lewes, but it was probably not of budded fruit, as it was not intended for shipment. About the same year Giddiah Beauchamp planted a large orchard near Canterbury, but this was mostly of native trees and the fruit was dried or made into peach brandy. Two or three years later Rev. T. P. McColey and Thomas Davis set out orchards of budded trees near Milford, as did many others along the water-ways; and it was about this time, probably, that Daniel C. Curry set the orchard on "Shawnee" that in war-times became the famous orchard of that section. The orchards planted about Delaware City were comparatively short-lived, and in 1844, Mr. Reeves began to take out those planted first and to replant, and in 1850 the first one hundred acres had all been removed, and the second plantings were all gone in 1858.

In 1856, the railroad having been completed well down the State, peach-raising became common all along the line. In this year ex-Governor John P. Cochran set out about ten thousand trees one mile west of Middletown, and Serick P. Shallcross set out fifteen thousand trees three miles northeast of that town. From that time but few trees were set in that vicinity for a year or two, but in 1860 almost every farmer began to plant orchards. William Polk set out six thousand trees in this year, west of Middletown and added to them afterwards. In 1861 E. R. Cochran set out three thousand five hundred trees. Governor Biggs, Mr. Willits and others set out large

orchards, and later Henry Clayton, president of the Middletown Bank, became an extensive peach-grower, at one time having nineteen thousand trees. The business grew in that locality till in 1875, the year of the big crop, there were shipped from Middletown during the season an average of thirty-five car-loads daily, five hundred and thirty baskets to the car, making a total of one million five hundred thousand baskets in that year, and from the peninsula the shipments amounted to five million baskets.

It was in 1856 that Joseph Griffith, Joseph Ferris and Thomas B. Lockwood planted large orchards west of Smyrna, and two years later Robert H. Cummins began planting, and the business there increased till nearly three-fourths of the land was devoted to peach-growing, and as many as three hundred thousand baskets of fruit have been shipped from the station at Clayton in one year. Dr. Henry Ridgely, Manlove Hayes, W. L. Cannon and others early planted orchards near Dover. The William Ashcraft orchard, some six miles east of Wyoming, was for years a noted one. Between 1854 and 1860, Jonathan Catlin, planted more than twelve thousand trees, near Canterbury, which he purchased in Rochester, N. Y. They proved very profitable, and some of them planted in 1860 are still in bearing condition. In December, 1856, the railroad was extended to Seaford, and the next year peach orchards were planted there and at Bridgeville. In 1848, Daniel Curry, of Milford, had planted on his farm at Bridgeville an orchard of one thousand trees, and the same year William Polk planted three hundred trees, all of budded fruit, but as it then had to be hauled to the "Brick Granary," in Cedar Creek Hundred, and shipped thence by water to Philadelphia, the enterprise was not profitable and was abandoned. In 1857, William Cannon, afterwards Governor of Delaware, planted at Bridgeville five thousand trees, G. S. Layton three hundred trees, and John Kinder fifty trees; Mr. Kindersaying he had enough, as Mr. Cannon's large orchard would glut the market; but so far was this from being true that good prices were generally received and the business has steadily advanced. William Cannon planted a nursery of one hundred and fifty thousand trees in 1858, and sold them all in the neighborhood. He afterwards had another large nursery, and several others smaller ones, and most of the trees have been set in that vicinity. In 1873, twenty-four cars were loaded at this station in one day, and the orchards in the vicinity now are capable of yielding four or five times as many, nearly every farm having an orchard—some of them of fifteen thousand to twenty-five thousand trees.

At Seaford the large growers were Wm. H. Ross and Elijah, Levin and Samuel Hitch, in the earlier days,—in 1857 and the few years following. In the eastern part of the county, ex-Governor Charles C. Stockley, Judge Wooten and James Anderson began raising peaches just previous to 1860, and drew them to Bridgeville till 1868, when the railroad was

put through to Georgetown; and from that time on the orchards have steadily increased in the eastern part of Sussex County.

At the present time there is marketed from the Middletown depot the product of about one hundred thousand trees, a part of which are in Cecil County, Md.

Among the large growers are Governor Biggs, who has extensive orchards farther down the peninsula in Maryland; S. T. Shallcross, 5000 trees; R. T. Cochran, 7000 trees; Wm. Polk, 9000 trees; E. R. Cochran, 18,000 trees, who also has nurseries, from which he sells annually about 400,000 trees. Near Smyrna, which is the next centre, are Geo. W., D. J. and Alexander G. Cummins, A. L. Hudson, Samuel Roberts, James W. Anthony, Henry S. Anthony and others.

Wyoming, which has for some years past been the finest peach-growing district in the State, numbers among her peach men Geo. H. Gildersleve, J. G. Brown, E. H. Bancroft, John Dager, T. P. Hansen, Capt. J. C. Durborough, C. Frear and many others; and in a year of full crops could send to her station about half a million baskets of fruit.

Felton has John Heyd, W. H. Burnite, G. W. Killen and others, and from here should naturally be shipped the fruit grown about Frederica, which would take in that of S. W. Darby, J. M. Reed, Thomas James and Rev. Jonathan S. Willis, all of whom have large and fine orchards.

Milford is now attracting especial attention as a "peach centre," where, by a wagon haul of not over ten miles, can be concentrated the fruit of half a million bearing trees, and at the rate orchards are now being set, this number promises to be doubled within five years. Among the large growers here are John W. and Wm. F. Causey, Robert H. and Mark Davis, Col. Abel Small, John J. Rosa, Henry W. Hynson, W. R. Phillips, Gen. Van Vorst and many others. Milford is also remarkable for the large nurseries in the vicinity, prominent among which is the long established one of A. Cullen and that of W. R. Phillips, as well as many of smaller magnitude. Near it are also located most of the evaporators on the peninsula, over one hundred of them being in use in the vicinity; and more patentees of these machines live in and near the town than in any other place in the United States. The most extensive growers in Sussex County are Albert Curry and Simeon Pennewill, who have large orchards at Greenwood; Miles Messick, H. P. and P. L. Cannon, Geo. T. Traut, D. S. Myer, E. W. Layton and G. S. Layton, at Bridgeville; Jas. J. Ross, Dr. Hugh Martin and Hon. E. L. Martin, at Seaford; and ex-Governor Stockley and Harbeson Hickman, at Georgetown.

It is interesting to note in this connection that the "peach centre" has been gradually moving down the peninsula. In 1875 it was at Middletown, in 1880 at Smyrna, in 1885 at Wyoming; in 1890 it will prob-

ably move across from Milford to Bridgeville and Seaford. It is generally agreed that the predominant cause of the utter abandonment of the business at Delaware City, and the partial abandonment of it from Middletown to Dover, is the disease known as peach yellows, a fatal malady about which nothing is positively known, and for which no remedy has been discovered.

As has been noticed, the opening of the railroad down through the State gave a great impetus to peach-raising; yet there have always been unsatisfactory features connected with the marketing of the crops, and numerous efforts were made and plans adopted to effect improvements. Shippers complained that freight rates were excessive, that fruit trains were often delayed, to the damage and loss of the fruit, and that commission merchants to whom it was consigned were sometimes irresponsible or dishonest. Early in the history of the business Wm. H. Wanzer, the "peach king" of New York City, and ex-Mayor Van Vorst, of Jersey City, bought fruit at Milford, and paid for it on the spot, and shipped it to Jersey City, where it was, after inspection, sold to the dealers who were gathered there from New England and other Northern markets. This enterprise, however, did not prove profitable to its originators, and was soon abandoned. But the idea contained in it took root, and, in the brain of Wm. P. Corsa, of Milford, was perfected a plan which was materialized into the Delaware Fruit Exchange. A charter was granted to this organization in 1883, and it began operations at Wyoming in 1884. In brief, the plan consists in concentrating buyers at one point, where the peaches, previously inspected and graded, are shipped, and sold at auction to the highest bidder by the car-load. So far, however, the bulk of the fruit sold on this plan has been taken mostly in wagons to the station, where the buyers were gathered. This point was Wyoming in 1884, 1885 and 1887, and Still Pond, Md., in 1886. In 1886 several branch exchanges were formed, but were not operated on account of a scarcity of fruit. In 1887 these branches, and several others formed in that season, went into practical operation on the same plan as practiced at Wyoming, which was considered the headquarters, whither reports were sent daily. The results have been very gratifying, the freights lowered, better train service secured, the expenses of handling reduced, the commissions saved, the markets broadened and a better quality of fruit secured to the buyer. It is confidently believed by the leading fruit-growers that this system will become entirely successful, and through it all the fruit grown on the Delaware and Maryland Peninsula will be profitably marketed.

The following statement of the amount of fruit carried over the Philadelphia, Wilmington and Baltimore Railroad is interesting, though it includes a portion of that produced in Maryland as well as that of Delaware:

| SEASON. | CAR LOADS
PEACHES. | CAR LOADS
BERRIES. | SEASON. | CAR LOADS
PEACHES. | CAR LOADS
BERRIES. |
|-----------|-----------------------|-----------------------|-----------|-----------------------|-----------------------|
| 1867..... | 2,066 | ... | 1877..... | 4,003 | 638 |
| 1868..... | 23 | 20 | 1878..... | 809 | 771 |
| 1869..... | 4,019 | 182 | 1879..... | 4,331 | 636 |
| 1870..... | 2,707 | 282 | 1880..... | 3,417 | 609 |
| 1871..... | 5,004 | 313 | 1881..... | 78 | 839 |
| 1872..... | 4,091 | 565 | 1882..... | 5,183 | 1,034 |
| 1873..... | 2,853 | 688 | 1883..... | 3,344 | 999 |
| 1874..... | 1,266 | 714 | 1884..... | 3,631 | 1,144 |
| 1875..... | 9,072 | 905 | 1885..... | 3,486 | 1,055 |
| 1876..... | 2,117 | 882 | 1886..... | 1,833 | 1,234 |
| | | | | 63,382 | 13,430 |

CHAPTER XXII.

PUBLIC EDUCATION.

THE early Swedish settlers are said to have been intelligent and it is reasonable to suppose that they had some system of instruction among them.

After the Amsterdam Company purchased New Amstel, or New Castle, of the Dutch West India Company, in 1658, they sent ministers and teachers to the colony; and after Delaware became attached to Penn's proprietorship, in 1682, it appears that steps were taken to provide for the education of the people; but Delaware became a separate colony in 1753, and from that time until 1792 no provision was made for public or free schools. The children of the wealthy were educated at private pay schools, a system which has continued in some localities until the present.

These old pay schools or academies, were some of them well conducted, and are held in grateful remembrance by many of the older people of the present, but it is plain that this class of schools left the poor without an opportunity to obtain an education.

When the Constitution of 1792 was framed, this defect was recognized, and provision was made "for establishing schools and promoting the arts and sciences," but the Legislature did not carry out this requirement until February 9, 1796, when an act was passed providing that the moneys received from marriage and tavern licenses, from the date of the act to January 1, 1806, be applied to this fund. The time was afterwards extended until 1820. Section 7 of this act provides "That the said fund shall be applied to the establishment of schools in the several hundreds or districts of the respective counties of the State for the purpose of instructing the children of the inhabitants thereof in the English language, arithmetic and such other branches of knowledge as are most useful and necessary in completing a good English education, and that the same shall not be applied to the erecting or supporting of any academy, college or university in this State." The money thus accumulated was invested and constituted a fund sufficient to warrant the Legislature in 1817, in passing an act appropriating a portion thereof for the education of poor children. Under this act from three to five persons were appointed as trustees in each hundred to superintend

its distribution for educating poor children, who were to be instructed in reading, writing and arithmetic. The trustees had full power to select the teachers and fix the salary; \$1000 was annually appropriated from the school fund to each county under this act. The teachers were required to keep a regular and distinct account of all moneys received and expended, the names, ages and condition of the children, and their progress in learning, and to make reports to the county treasurer whose duty it was to present them to the General Assembly. The trustees under this act were for New Castle County, Brandywine Hundred, Robert Forward, Jas. Grubb, Chas. Tatem; Christiana Hundred, Thos. Baldwin, Geo. Morris, Edward Roche, Jas. Brindley, Jno. McCalmont; Mill Creek Hundred, Andrew Reynolds, Washington Rice, Ellis Saunders; White Clay Creek Hundred, George Gillespie, David Morrison, David Nivin; New Castle Hundred, John Crow, Samuel Moore, James R. Black, Archibald Alexander; Red Lion Hundred, Anthony M. Higgins, John Sutton and George Clark; Pencader Hundred, William Cooch, Levi Boulden and Rev. Samuel Bell; St. George's Hundred, John Merritt, Christopher Vandergrift and David Stewart; Appoquinimink Hundred, John Crawford, Dickinson Webster, Gideon Emory.

Kent County.—Duck Creek Hundred, Thomas Rothwell, Mordecai Morris, John Raymond, James Chiffins and Benjamin Coombe; Little Creek Hundred, Daniel Cowgill, Robert Register, John Crocker, William Ruth and James Scotten; St. Jones Hundred, Thomas Canby, Philip Thomas and Cornelius P. Comegys; Murderkill Hundred, Samuel Mifflin, Mathew Cox, John Clark, Caleb Lockwood, Andrew Barrett and Caleb Sipple; Mispillion Hundred, John Booth, Luff Lewis, Jacob Biddle, Charles Polk and Daniel Mason.

Sussex County.—Cedar Creek Hundred, Curtis Shockley, Lowder Layton and Joseph Haslet; Broadkill Hundred, Bevins Morris, Sr., Isaac Atkins and Benton Harris; Lewes and Rehoboth, Daniel Wolfe, Peter F. Wright and Robert West; Indian River, Robert Burton, Joseph Waples and John Sharp; Baltimore Hundred, Arthur Williams, James Miller and Richard Clark; Dagsborough Hundred, Edward Dingle, Jr., Robert Lacy and Spencer Phillips; Broad Creek Hundred, William Ellegood, Manen Bull and Covington Messick; Little Creek, John Polk, James Derrickson and Jonathan Waller; Northwest Fork Hundred, Levin Stewart, William Russell and George Polk.

A few schools were organized under this law, and the way was opened for further improvement, but it was denominated a poor children's fund, and the law was administered as a charity, and, as a consequence, did not work well. One point had been gained, however, by this law,—the necessity of educating the masses was here recognized.

It is here interesting to observe how Sunday-schools were organized in this State. The original idea of

Sunday-school teaching, as first promulgated by Robert Raikes, was that poor children were to be taught to read on Sunday, and that teachers were to be paid for their services. This idea was at least partially carried out in the organization of the Sunday-schools of Delaware under an act passed February 3, 1821, which provided that every school instituted in the State for the education of children on the Sabbath day, should be entitled to receive a certain sum of money from the treasurer, not exceeding twenty cents for each white scholar enrolled.

The following schools were established and received aid under this act in 1829:

| | |
|--|--------------|
| No. 1. Female School at New Castle..... | 100 scholars |
| No. 2. Mill Creek..... | 40 " |
| No. 3. Immanuel Church, New Castle..... | 93 " |
| No. 4. Farm School..... | 59 " |
| No. 5. St. James' School, near Stanton..... | 95 " |
| No. 6. New Castle School..... | 93 " |
| No. 7. First Presbyterian Church, Wilmington..... | 161 " |
| No. 8. Newark Male School..... | 20 " |
| No. 9. Newark Female School..... | 31 " |
| No. 10. Mrs. Anderson's School..... | 23 " |
| No. 11. Harmony School..... | 97 " |
| No. 12. White Clay Creek..... | 120 " |
| No. 13. Brandywine Manufacturers' School..... | 191 " |
| No. 14. Methodist Church School, Wilmington..... | 213 " |
| No. 15. Second Presbyterian Church School, Wilm..... | 150 " |
| No. 16. Catholic Church School..... | 40 " |
| No. 17. Protestant Episcopal Church School..... | 84 " |
| No. 19. Brandywine Village School..... | 50 " |

These schools received \$224.09 in all.

A few Sunday-schools had been organized prior to 1829, as the Levy Court record will show. The following teachers were paid for their services: September 20, 1821, P. Quigley, teacher of Brandywine Manufacturers' Sunday-school, 86 scholars, \$17.20; January 3, 1822, teachers of Female Episcopal Sunday-school in Wilmington for tuition of poor children, \$26.40; February 5, 1822, teachers of Sabbath-day School in New Castle for teaching poor children, \$11.80; February 26, 1822, to schools for teaching poor children, Bethel Sabbath-school, \$8.40; Sabbath-schools Nos. 1, 2 and 3, in Wilmington and New Castle Hundred, \$8.20; September 24, 1822, teachers of Newark Sunday-school No. 4, \$7.20; No. 7, \$8. At every meeting of the Levy Court appropriations were made for this purpose. This law has been amended, and now each county receives five hundred dollars towards the maintenance of its Sunday-schools.

FREE SCHOOL SYSTEM.—Under this law the State was divided into school districts by Gary Longfellow, Samuel Price, Andrew Green, Huglet Layton and Benaiah Thorp, a committee appointed for that purpose. George P. Fisher, Ebe Walter, Henry Bacon and Thomas Jacobs were the committee to district Sussex County.

The Free School Law of 1829, under which this apportionment took place, provides for recording the boundaries of school districts in each county, and for their division when necessary, by the Levy Court upon a petition signed by twelve or more owners of property in any school district, providing that in the original district, and in each new one, there shall be

at least thirty-five scholars over five years of age. After such division the children may continue to enjoy the privileges and benefits of the school in the original district until the next annual meeting of the school voters, when they can organize united districts, which have the same power as original districts. A stated meeting is appointed by law on the first Saturday in April at the school-house; or, if there is none, at a place designated by the Levy Court, to be held at 2 P.M., and to be kept open one hour at least. Every person residing within the district and having paid his school-tax for the preceding year shall be a school-voter of said district. Any number of voters may proceed to business, and their acts shall be valid.

The school committee consists of three persons, a clerk and two committee-men for each district; these are elected for three years, one each year. Hon. Willard Hall, the father of this law said, "The school system under these laws is simple and plain. It forms school districts, appoints and regulates the meeting of the school voters in these districts and commits to these voters in these meetings the whole power over the subject of common schools for their districts." Every school district is a republican community constituted for the special purpose of taking care of the interests of popular education within its bounds. It depends upon the school voters whether the children of the district shall have the benefit of a school, and what kind of a school they shall have." This leaving the matter in the hands of the voters of each district is very democratic, but the power thus given was sometimes used to the injury of the district; and poor men who had children to send and whose tax would have been light, were found voting for no tax, thereby rendering it impossible to open a school in the district. Sometimes the tax was voted down for several consecutive years, thus depriving the children of a generation of all school privileges, but the State was generous and made appropriations from its vested funds of an amount equal to the amount to be raised by taxation in each district. By the law of 1861, the school committees were authorized to levy a tax of \$75 in each district in New Castle, \$50 in Kent, and \$30 in Sussex. It was the intention of the law that there should be a superintendent in each county, but he received no pay excepting his traveling expenses, and none but philanthropists would engage in such work. Hon. Willard Hall acted as superintendent in New Castle county for twenty years or more and tried to carry out the system, but it had fatal defects, and as was said in one of the reports, "The stream rises no higher than its source, and so in the very neighborhoods where the improving influence of a good district free school is most needed, there it is never found. Besides the teachers were not examined and incompetent persons were often hired by equally incompetent committee-men. If the residents of a school district were intelligent and progressive, the schools would be good, otherwise there would be no school or at best a very

poor one." Judge Hall gave the gist of the law when he said, "The design of the system is not to make schools by *its operation*, but to enable and invite the people to make schools by *their own agency*." "The governor shall, yearly before the first of March, appoint a superintendent of free schools in each county," but the superintendent had no real power and no pay except postage and traveling expenses. Among those who acted as superintendents besides Willard Hall, were Henry W. Patterson, Dr. Robert H. Griffith, Samuel M. Harrington, Peter Robinson, Joshua E. Baker, Joseph Smithers, Simon Spearman, Charles Marim, Robert O. Pennewill, William Cannon, Daniel M. Bates, Willard Saulsbury, William Johnson, John A. Nicholson, Jonathan R. Torbet, A. H. Grimshaw.

The act of 1829 was frequently amended by supplementary acts in 1830, 1832, 1833 and 1835. In 1837 an act was passed to appropriate the income of the United States surplus revenue fund for the benefit of school districts, and yet the inefficient non-compulsory idea was maintained until 1861, when a step was taken in the right direction. This act required the committee to raise a certain sum in each district for school purposes, irrespective of the action of the voters, but the voters might raise an additional amount if they chose so to do. The original school fund started under the law of 1797 was further augmented by the act of 1867, which provided that the fourth of all the money arising from licenses for auctioneering, for life and fire insurance agencies, taking photographs, selling liquors and from other sources should go to the school fund.

A general convention of those interested in the cause of education was held at Dover, in December, 1867, at which a committee was appointed to prepare a report upon the needed reforms in the school system. This committee reported in the autumn of 1868, and among the changes suggested the appointment of a State superintendent was urged as well as that of a superintendent for each county. The committee further recommended a change in the mode of levying school taxes, which at that time depended upon the vote of each school at each spring meeting. The committee were of the opinion that this tax should be levied by commissioners in each hundred or town.

In 1876 the permanent fund amounted to four hundred and forty-nine thousand dollars, yielding twenty-nine thousand two hundred and eighty-four dollars for yearly distribution. The State treasurer has been from the outset the custodian of this fund. To receive a share each district must have raised by tax or subscription at least twenty-five dollars for its school, and from 1861 to 1875 was also obliged to raise within the district by tax enough to make with this twenty-five dollars, making in New Castle County seventy-five dollars for the year, in Kent County fifty dollars and in Sussex County thirty dollars.

PUBLIC SCHOOL LAW OF 1875.—The people,

under the lead of a number of progressive men, began to awake to the necessity of a change in their school system, and in March, 1873, an attempt was made to amend the school law by providing for an enforced district taxation for free schools, for county superintendents to examine teachers, for county and State boards and for a fair distribution of the school fund among the colored population. This bill passed the lower House, but failed in the Senate. The friends of a better system, nothing daunted, renewed their efforts, and in 1875 the present school system was established under the operations of which the schools of the State have been revolutionized. March 24, 1875, an act was passed allowing the colored people of the State to levy a tax of thirty cents on every hundred dollars assessed upon themselves, which was appropriated through the Delaware Association for the education of colored people to the support of schools for colored children. The next day a general school law was enacted, providing for a fixed tax to be raised annually in each district for the support of schools therein, for the examination of teachers to be employed in them, for meetings of these teachers each year in county institutes of at least three days each, with provision for instruction and exchange of views, for supervision of the schools by a State superintendent, who should visit each school and advise with the teachers once every year, and for a State Board of Education to hear appeals from the action of school officers, to determine text books and to prepare and issue blanks for school returns, report to be made to the Governor on the first Tuesday in December in each year, of the condition of the public schools. The Secretary of State, President of Delaware College, State auditor and State superintendent were made by this act the Board of Education.

The first State superintendent under the new law was James H. Groves, who served from 1875 till 1882. In 1883 Thomas N. Williams was appointed superintendent and Henry C. Carpenter assistant. In 1887 the law was somewhat changed and the office of State superintendent was abolished and three county superintendents were provided for in his stead, at an annual salary of one thousand dollars each. Herman Bessey, L. Irving Handy and James H. Ward were appointed county superintendents. The State Board of Education now consists of the Secretary of State, President of Delaware College and the three superintendents. It is the duty of these superintendents to hold teachers' examinations, to visit the schools at least twice each year if kept open at least eight months, note the condition of the school, advise with the teacher, and they may withdraw any teacher's certificate if he or she does not comply with the reasonable directions of the superintendent. There are three grades of certificate given to persons of good moral character. The first is given to persons qualified to teach orthography, reading, writing, mental and written arithmetic, geography, history of the United States and English grammar, elements of

rhetoric, algebra, geometry and natural philosophy, for three years, when recommended to the State Board and approved by them. The certificate must be countersigned by the President of Delaware College, who is *ex-officio* president of the State Board. Applicants who answer ninety per cent. of the questions in all of the above studies, excepting rhetoric, algebra, geometry and natural philosophy, are entitled to a second grade certificate from the county superintendent, good for two years, while those only answering sixty per cent. of the questions are entitled to a third grade certificate, good for one year. If the school commissioners of any district employ teachers without certificates they can receive no pay. The State Board are empowered to determine what text books are to be used.

In 1886 there were four hundred and twenty-two districts in the State, distributed as follows: New Castle, 100; Kent, 131; Sussex, 192. The number of white children of school age in the State is New Castle County, 19,837; Kent, 7,137; Sussex, 9,822; total, 36,468. Of these the number enrolled was New Castle, 14,529; Kent, 6,100; Sussex 8,733, total, 19,235. The average number of months taught in each county was 975 in New Castle, 869 in Kent, 682 in Sussex. This is a higher average than can be found in most of the States and speaks well for the success of the present school system. The whole number of teachers in the State, including the City of Wilmington, was 635. The total amount of teachers' salaries was \$178,085.97. The State appropriation was \$60,606.52 and the total appropriation was \$246,600.62. The average salary of teachers was \$32.40 per month. The total value of school buildings was estimated at \$589,850; school grounds, \$97,395; school furniture, \$54,777.

Of the higher institutions of learning in the State, Delaware College, located at Newark, is hereafter described. Newark Academy originated in the desire to educate young men for the ministry. It was founded by Rev. Francis Allison, and adopted by the Synod of Philadelphia as its school, in 1744; in 1767 it was located permanently at Newark, and in 1769 it was chartered by Thomas and Richard Penn. Wilmington Conference Academy, located at Dover, was founded in 1873, and is under the care of the Methodist Church. There are several other academies and private schools in the State, whose history will be found in the history of those localities. The largest and best public library in the State is at Wilmington. There is also a good circulating library at Dover. The Ferris Reform School is a noble charity, founded with money donated by John Ferris, in his will, amounting to \$83,823. It was established in 1885, and is located on a large farm, near Wilmington. The following institutions for educational, literary and scientific purposes are recognized in the laws of Delaware as having been duly incorporated; many are now extinct but the very names will suggest pleasant memories to many of the older inhabitants,

and the long list of schools incorporated shows further that there was an active interest in educational matters in the early part of the present century: New Castle Academy was incorporated in 1801; St. James' School 1808; Dover Academy 1810; Newark Grammar School 1811; Georgetown Academy 1812; Newport Grammar School 1812; New Castle Library Company 1812; Union School 1815; Brandywine Academy 1815; Union Academy of Camden 1816; Female Harmony Society of Wilmington 1817; New Castle Female Benevolent Society 1817; Rittenhouse Academy 1817; Mechanics Academy of Smyrna 1817; Brandywine Manufacturers Sunday School 1817; Bridgeville Institution in Sussex 1818; Lewes School 1818; Female Union Society of Smyrna 1818; Cantwell Bridge Academy 1818; Milton Academy 1819; Seaford Academy 1819; Trap School 1821; Union Academy 1821; Franklin School 1822; African School Society of Wilmington 1824; Middletown Academy 1826; Pratt's Branch School 1829; School in Delaware City 1829; Self Supporting School in Brandywine Hundred 1832; Delaware Academy of Natural Sciences 1837; Wilmington Athenæum 1839; Wilmington Literary Institute afterwards Wilmington Female Collegiate Institute 1843; Delaware Institute for the promotion of Mechanics, Manufactures and Arts, 1847; Smyrna Union School 1852; Wesleyan Female College 1855; Delaware City Academy 1857; Dover Classical Seminary 1861; Bridgeville Academy 1865; Seaford Seminary 1865; Wilmington Conference Academy 1873. Besides these academies incorporated, there were many other private or pay schools, taught by clergymen and others. It was no uncommon thing in the early days of schools, in this State, for teachers to itinerate from district to district, teaching in some private house or building in one place as long as they could afford to pay, and then going to another district, but this system, as well as the academies, are disappearing, and giving place to the present excellent system of public instruction.

TEACHERS' INSTITUTES.—The State Teachers' Association was organized at Rehoboth, August 28, 1879. The following officers were elected: President, W. H. Purnell; Vice-Presidents, F. E. Bach, R. H. Skinner, John L. Thompson; Secretary, H. C. Carpenter; Treasurer, Miss E. D. Frazer; Executive Committee, James H. Groves, Miss Sarah M. Fell, W. A. Reynolds, Miss Clara Fulton, O. D. Postles, Miss K. B. Rodney and McKendree Downham. This organization was the result of a call issued by H. C. Carpenter and McKendree Downham. It is just to state that December 30, 1875, the first meeting for the organization of a State Teachers' Association was held at School-house No. 1, in Wilmington, Prof. D. W. Harlan calling the meeting to order, Prof. E. D. Porter, of Delaware College, was elected president; D. W. Harlan, vice-president; Prof. W. A. Reynolds, secretary and Miss E. D. Frazer, treasurer.

An adjourned meeting was held at Georgetown

during the session of the first county institute in 1876, but no results came from this organization and the first annual meeting of the teachers of the State was held at Rehoboth in August, 1879.

A number of teachers and friends of education were present and interesting discussions were held. The following standing committees were appointed: on Condition of Education, Prof. Jeffries, J. A. Whitelock and Miss Cassie Armour; on Improved Methods of Education, F. Eden Bach, Dr. Porter and L. S. Hopkins; on Order of Exercises for Next Annual Meeting, H. C. Carpenter, McKendree Downham and Miss Lizzie Maull. After congratulatory speeches from Dr. Purnell, J. Alex. Fulton, and W. T. Crossdale the first regular session of State Teachers' Association adjourned. State Associations have been held annually at Rehoboth every year since, and they have been attended by the progressive teachers in the State. Drills, discussions and evening lectures have been features of the institute work and undoubtedly teachers have been inspired with greater earnestness in their duty by the enthusiasm engendered at this association. The best talent in the State among teachers, lawyers and professional men generally, as well as talent from outside the State, has been brought into requisition at these meetings of the teachers. The officers for 1880 were: President, W. A. Reynolds; Vice-presidents, Prof. M. Heath, Miss Emma Worrell, Prof. T. N. Williams; Secretary, Herman Roe; Treasurer, Miss E. D. Frazer; Executive Committee, Rev. J. M. Williams, J. Alex. Fulton, J. H. Groves, Miss S. M. Fell, and McKendree Downham. The following persons have been presidents of the Association since; Rev. J. M. Williams, 1881; H. C. Carpenter, 1882; McKendree Downham, 1883; James E. Carroll, 1884; L. Irving Handy, 1885; W. L. Gooding, 1886; John L. Thompson, 1887.

Each county has held an annual teachers' institute since 1875, and the act of 1887 requires county superintendents to hold institutes, each superintendant to attend all the institutes. One hundred dollars is appropriated from the State fund annually for each county for institute purposes.

SCHOOLS FOR COLORED CHILDREN. In 1866, there were only seven schools for colored people in the State, three at Wilmington, two at Camden, one at Newport and one at Odessa. During that year several philanthropic gentlemen met at the house of Samuel Hilles in Wilmington, for the purpose of devising some means to improve the condition of these schools. As the result of this meeting, the Delaware Association for the Moral Improvement and Education of the Colored People was organized, with Thomas Kimber, President, and William R. Bullock, Secretary. Contributions from those interested in the work were solicited. The Freedman's Bureau was also asked for aid, and the work of organizing schools was immediately begun. Teachers were paid from the funds of the association, while the colored people in the vicinity of

the school were depended upon to furnish board for the teacher and incidental running expenses. During the first six months fourteen schools were in operation; the Freedman's Bureau furnishing lumber for ten school-houses. The first actuary or superintendent of schools for colored children, was Rev. J. G. Furey, who laid the foundation, and was succeeded by Samuel Woolman, whose efforts were very successful. He was succeeded by Abbie C. Peckham in 1868, who served until 1874, when Miss Mary S. Casperson succeeded her, and was followed by Mrs. Kate Irvine. In 1876, Henry C. Conrad, the present efficient actuary, was elected. He found that there had been 29 schools open during the month of February preceding, with a total enrollment of 1,197 pupils. There were in 1886 24 schools in New Castle county and 1,872 pupils; 25 schools in Kent county with 1,486 pupils; 24 schools in Sussex county with 1,045 pupils. There are sixty-eight schools in the state outside the City of Wilmington with 3,563 pupils enrolled. At first the schools were supported by donations from the Delaware Association. In 1875 a law was enacted giving the colored people the tax levied upon themselves towards the support of their schools. In 1881 an appropriation was made from the State Treasury, followed in 1883 by a material increase in the amount. The total distribution among the schools in 1886 was \$7,166.69. Of this amount \$4,653.63 came from the State appropriation, and \$2,511.06 from the school tax fund. The average length of school term was four and two thirds months. The Dover school, under direction of Julius B. McGinnis, is the largest, while the schools at New Castle, Middleton, Newark, Smyrna, Milford, Seaford and Lewes are strong, and the school at South Camden under Lottie E. Scott, has shown great progress. The third annual Institute of the colored teachers, was held at Smyrna in February 1886. These institutes are directed by the colored teachers, and serve a good purpose.

No special provision is yet made by Delaware for the instruction of the deaf and dumb, the blind or the imbecile, each county caring for its own, or the state bearing the expense of their care in various asylums of Pennsylvania. The number of these unfortunates thus sent out of the state, averages from 15 to 20 yearly, and they are placed in the best institutions of Philadelphia and the neighborhood, where they receive the most humane and scientific custodianship and whatever improvement their maladies and deficiencies may permit.

DELAWARE COLLEGE.¹—While the State of Delaware has a good system of free schools, it has but one college. In the early part of this century leading citizens made several efforts to establish an institution of a higher order than had previously existed, but nothing was done until 1821, when the General Assembly passed an act "to establish a college at the village of Newark or its vicinity, for the education of

¹ By Rev. J. H. Caldwell, D.D., President.

youths in the English, Latin and Greek languages, besides arts and sciences." This act provided that the institution should bear the name of "Delaware College." It required that the board of trustees should consist of not more than thirty members and be appointed by the General Assembly. This act was never carried into effect; and on the 5th February, 1833, the Legislature passed another act to establish a college which should bear the corporate name of "The Trustees of Newark College." All the stock and money of a college fund which had been created pursuant to a resolution of the General Assembly passed on January 28, 1824, were paid over to the trustees of Newark College, and on May 8, 1834, the trustees assembled in the college hall and proceeded to open the institution by the inauguration of Professors Nathan Munroe and John Holmes Agnew. Sixty-three pupils were enrolled; only one, however, in the college course, the others being in the preparatory department, some of whom were not over nine years old. Alexander Gray was the first who matriculated in the college course, and he was received into the sophomore class. In 1843 the name was changed



DELAWARE COLLEGE.

to "Delaware College," the sale of liquor to students was prohibited, and in 1851 the college was reincorporated, with essentially the same features as before. In this act of reincorporation a normal school was provided for in connection with the college, directions were given concerning the use of the endowment fund, and the Secretary of State was required to furnish the institution with certain public documents. In 1855 the Governor was made *ex-officio* a member of the board of trustees and has continued such ever since.

The institution remained under the old regime until 1859, when it was suspended and closed until 1870. During the twenty-five years of its active career, four hundred and fifty-four students matriculated. Many most useful and eminent citizens were educated within its walls, and many of the alumni became distinguished for virtue, honor and fidelity to principle. It was established by State authority

and has continued under State control ever since. Although not richly endowed nor abundantly equipped, it has been noted for the surroundings and thoroughness of its training.

In 1862, the Congress of the United States passed an act donating to the several States thirty thousand acres of the public lands or an equivalent of land scrip, for each of their Representatives and Senators. Delaware, having two Senators and one Representative, was entitled to ninety thousand acres of land or the scrip equivalent. The object of the donation was to enable the States to establish agricultural colleges, wherein, without exchanging classical and other scientific studies, and including military tactics, the leading purpose should be to teach such branches as are related to Agriculture and the Mechanic Arts, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life. The funds arising from the sale of land scrip were to be invested in State, United States, or some other safe stocks, at not less than five per cent. interest; and the money so invested should constitute a perpetual fund, the capital of which should remain forever undiminished. To make the grant available the previous assent of the Legislature was required, but the Legislature of Delaware, for some cause, passed no act giving assent until March 14, 1867, nearly five years after the Congressional donation had been offered. It was doubtless on account of the want of suitable buildings for college purposes, and the then financial condition of the State, that the General Assembly withheld assent so long.

It was an epoch in the history of Delaware College which had a commodious building and an adequate amount of valuable apparatus and which for eleven years had remained unoccupied. The Board of Trustees now saw the opportunity for a still closer connection with the State, and the advantage to be derived from a more complete control of the institution by the State. The trustees therefore proposed to convey to the State a joint and equal interest in the grounds, buildings, libraries, apparatus and vested funds, upon condition that the State should vest that income to be derived from the sale of land in a board of trustees, not more than one half of whom should be Representatives of the State, to be appointed by the Governor, and the other half representatives of the original corporation. It was thus proposed to meet the requirements of the Act of Congress by enabling the State to provide the buildings, ground and appliances necessary to carry out its objects.

The proposition of the trustees was accepted by the Legislature, and Delaware College was adopted as the institution to be provided as an Agricultural College in accordance with the act of Congress. An act of reincorporation was passed in 1869, by which the president of the college and the Governor of the State were constituted members *ex-officio* of the Board of Trustees. In the same year an act supplemental to that of 1867 was passed, prescribing the

manner in which members of the Legislature should in their respective Hundreds appoint to the thirty free scholarships which were allowed to the State. The institution thus re-established was opened for students on September 14, 1870, under the presidency of Hon. W. H. Purnell, LL.D., who was an alumnus of the college. He continued in charge of the institution until June, 1885, and was succeeded by Rev. John H. Caldwell, D.D., who at the time of his election on the 13th of July was presiding elder of the Easton District, Wilmington Conference.

Subsequent acts of legislation were that of 1871 making the Professor of Chemistry *ex-officio* State chemist; that of the same year, which limited the number of State students to ten from each county, and struck out the previous requirement that they should be appointed annually; in the same year an act was passed directing all the funds arising from the sale of land scrip to be transferred to the State treasurer and held by him in his official capacity, and the Governor was required by resolution to issue to the president of the college, upon his requisition, such arms, equipments and military stores belonging to the State as may be required from time to time for the purpose of instruction. In 1873 three thousand dollars annually for two years were appropriated to the college for a normal department. This department did not succeed well, and the appropriation was not renewed. By the act of 1875 the president of the college was made *ex-officio* president of the State Board of Education. In 1877 the old bonds, eighty-three in number, amounting to eighty-three thousand dollars, were all canceled, and, in their stead, a certificate of indebtedness was directed to be issued to the president of the board of trustees for that sum. On this amount six per centum is paid semi-annually, on the 1st of January and July.

In 1872 females were admitted to the institution, but were finally excluded by a resolution of the board in 1885. During the time that they were permitted to attend the college courses there were not fewer than eighty students, and some of them became the best scholars in the institution, frequently winning the best prizes and the highest honors. Many friends of the college deplore the act of the board which excluded females and regard it as a misfortune to the institution. In 1885 the Legislature appropriated eight thousand dollars to enlarge the college oratory, and provide additional laboratories and dormitories, with other needed improvements and repairs. When the college receives the appropriation provided for in the act of Congress, approved March 2, 1887, its annual income will amount to about twenty thousand dollars, and its facilities to do the work of a college, especially of an agricultural experiment station, will be ample for all its requirements. The location of the institution is one of great beauty and attractiveness, and the abundant railroad facilities render it accessible to a large patronizing territory in Delaware, Maryland and Pennsylvania.

CHAPTER XXIII.

THE PRESS OF DELAWARE.

It has been a matter of just pride to the descendants of the settlers of Penn's colony that the printing-press was at work in Philadelphia within four years of the foundation, and it naturally follows, from the close political, social and business connections existing between the Philadelphians and the people of the three counties on the Delaware, that the latter shared in the circumstances and sentiments which attended the birth of journalism in this vicinity and promoted its growth. The first paper published in the colonies was the *Boston News Letter*, the earliest number of which bore date of April 29, 1704. Next came the *Boston Gazette*, which sent out its first issue on December 21, 1719, and the next day, December 22d, Andrew Bradford printed at Philadelphia the initial number of the *American Weekly Mercury*. It was on a pot half-sheet (fifteen by twelve and one-half inches), about a page of ordinary letter paper, in other words, and bore the imprint, "Philadelphia: Printed by Andrew Bradford and sold by him and John Copson." In 1721 Copson's name was dropped, and the imprint altered to "Philadelphia: Printed and sold by Andrew Bradford at the Bible in Second Street, and also by William Bradford, in New York, where advertisements are taken in." Its appearance and make-up are thus described:¹

"The *Mercury* sometimes appeared on a whole sheet of pot, in type of various sizes, as small pica, pica and english. It appeared weekly, generally on Tuesday; but the day of publication was varied. Price, ten shillings per annum. Editorial matter seldom appeared, and so little notice was taken of passing events in the city, with which at that time everybody was supposed to be acquainted, that little information with regard to local affairs is to be found in the paper. It was principally made up of extracts from foreign journals several months old, with a few badly-printed advertisements. Two cuts, coarsely engraved and intended as ornaments, were placed at the head, one on each side of the title; that on the left was a small figure of Mercury, represented on foot with extended wings and bearing his caduceus. The other was the representation of a postman riding at full speed. These cuts were sometimes shifted, and for the sake of variety Mercury and the postman exchanged places."

On December 24, 1728, was established the second newspaper in the colony, the *Universal Instructor in all Arts and Sciences and Pennsylvania Gazette*, the founder of which was Samuel Keimer, the eccentric and pedantic printer, in whose office Benjamin Franklin set type and worked the press. Within a year it passed into the hands of Franklin & Meredith, who lopped off most of Keimer's pretentious title, and as the *Pennsylvania Gazette* it entered upon a famous career of influence and usefulness. Following it came the *Pennsylvania Journal and Weekly Advertiser*, established in 1742 by William Bradford, nephew of Andrew, and the *Pennsylvania Chronicle and Universal Advertiser*, first issued by Wm. Goddard in 1767.

But before Mr. Goddard had embarked upon his enterprise Delaware had ceased to be dependent upon Philadelphia for printing and publication. It is fair

¹ "History of Philadelphia," Scharf & Westcott, vol. 1., p. 227.

to presume that she had conferred a proportionate degree of patronage upon Bradford and his early successors, and that her more ambitious men came to yearn for a press in their midst. At any rate, James Adams came to Wilmington in 1761 from Philadelphia, where he had been in the employ of Franklin & Hall. He was a native of Ireland and learned the art at Londonderry, from whence he emigrated when of age. He began business for himself in Philadelphia about 1760, but removed his press to Wilmington the next year and published his "Proposals for Printing a Newspaper." He received sufficient encouragement to start a weekly entitled the *Wilmington Chronicle*, which, after six months, was discontinued. He continued his printing-office, however, and from it were issued some publications for the colonial government, several small works on religious subjects and an annual almanac. He also bound and sold books, and up to 1775 was the only printer in Delaware.¹ After the failure of the *Chronicle* he confined himself for some years to the other branches of his work, but in 1789 he and his son, Samuel, were publishing the *Delaware and Eastern Shore Advertiser* at Wilmington. He died near the close of 1792 and bequeathed his business to his sons. Two of them, Samuel and John, established a press at New Castle, and the edition of the Delaware laws, published in 1797, bears their imprint and that of the town. The elder Adams was a man of much importance in his day and highly esteemed.

James Wilson in 1799 began the publication at Wilmington of the *Mirror of the Times*, a paper which advocated the principles of the Federal party and supported the administration of John Adams, then President of the United States. It was printed on beautiful snow white paper, a novelty in those days, which was made at the Gilpin Paper-Mills, up the Brandywine from Wilmington. The process of manufacture was then new and was the invention of Thomas D. Gilpin, one of the owners of the mill and a native of Wilmington.

The *Mirror of the Times* appeared as semi-weekly, printed on Wednesdays and Saturdays on a Franklin press. The motto under the title was the following significant couplet:

"Here sovereign truth for man's just rights contends,
Alike unawed by foes, unswayed by friends."

Mr. Wilson² was an able editor and produced a strong and intelligent paper measured by the standard of his time, but he was not making a fortune. When the New Castle County elections of 1802 took place at the town of New Castle, he announced to his patrons that

he would spend the whole day at Captain Caleb Bennett's tavern there, where he "would wait with his account-books open, hoping that all subscribers will call on him and inquire after the condition of his purse, which was affected by a lingering consumptive complaint."

The next trial that this newspaper-man had to contend with was the yellow fever, which prevailed in Wilmington in the fall of 1802. In the issue of October 23d of that year he said: "The publication of the *Mirror* will be suspended for a short time, until our hands are willing to return from the country, whither they have retired at present, on account of the ill state of health in our borough. Patrons will be remunerated for any deficiency caused by these imperious circumstances by occasional extra-papers in the future." Within three weeks the hands returned to their cases and the *Mirror* reappeared at the original price, \$4.00 per year. It was then the editor announced that "intelligence, essays, communications will be received and promptly attended to if postpaid." In March, 1803, Mr. Wilson informed his patrons that he would "wait on them at Christiana Bridge and New Castle for full settlement of arrearages, as circumstances rendered immediate payment necessary." He further said that he did not want any of them to say "call again." In 1809 he changed the name of the paper to the *American Watchman* and a few months later purchased the *Republican*, merged the two papers in one, and conducted it as a vigorous supporter of the administration of James Madison during the War of 1812-15. It was now an ardent anti-Federalist journal, whose columns during that eventful period teemed with patriotism. M. Risely was assistant editor for several years.

The *Christian Repository* was published by Peter Brynberg at the corner of Fourth and Shipley Streets before 1800.

The *Federal Ark* appeared as a Wilmington newspaper in 1803.

The *Museum of Delaware*, "a political, literary and miscellaneous" weekly, was started by Joseph Jones Saturday, June 30, 1804. It continued six years.

³ Of the papers issued in Wilmington, the *Delaware Gazette*, its able and early rival, the *Journal*, the various publications that were merged with these papers from time to time, and the *Commercial*—Wilmington's first daily—have, by successive purchase and consolidation, been merged with the *Every Evening*, now one of the leading newspapers of the State.

The *Delaware Gazette* was established in 1784 by Jacob Craig. Of its early history but little is known, except from the volume for the year 1787, which was preserved and is now in possession of the Historical Society of Delaware. A perusal of this volume shows that the paper was conducted on the same plan as other newspapers of its day—that is, devoted exclusively to foreign news, national politics and miscellany, with no local publications whatever,

¹ "History of Printing in America," by Isaiah Thomas, Worcester, Mass., 1810, vol. II., p. 125.

² James Wilson was born August 24, 1764, in Harford County, Md. He learned the printer's trade in Wilmington, with Mr. Craig, publisher of the *Delaware Gazette*. Soon after starting the *Mirror* he opened a book-store at what is now 417 Market Street, then known as the "Sign of Shakespeare," and also had a book-bindery on Shipley Street. He died in 1841, aged seventy-seven years. His son, Alfred, succeeded as proprietor of the book-store. It was later owned by another son, E. A. Wilson, and Joshua T. Heald. One of his daughters is Mrs. Joseph C. Seeds, of Wilmington.

³ By Morris Taylor.

save those referring to political contests and the advertisements. After an existence of several years the *Gazette* was sold to Moses Bradford, a well-known citizen and father of the late United States Judge E. G. Bradford, who subsequently disposed of the concern to Major Samuel Harker. The latter conducted the paper for a number of years, and under his management it assumed a prominent tone and character among the newspapers of that day, with whom it discussed questions of national import with freedom, equality and vigor.

Established as a weekly, the paper continued as such until about 1820, when it was issued semi-weekly. The date of this change is not known, as the bound volumes now in existence do not date prior to 1822, and the change had then been made for some time. The paper, at this latter date, was published by Samuel Harker, at No. 16 Market Street. It supported the Federal ticket in the State election of that year, consisting of James Booth for Governor and Louis McLane for Representative in Congress. It bore at its head the motto, "Faithful and Fearless," which had been adopted by Major Harker on assuming control of the paper, and was maintained as long as it continued in existence.

In 1825 the office of publication was removed to No. 6 Market Street, and in 1827 to No. 17 East Water Street. On August 27th of the latter year another change was made to No. 4 Market Street. For years the paper had been a pronounced advocate of the Federal party, but in 1825 the editor announced his disapproval of the selection of John Quincy Adams for the Presidency by the House of Representatives, and a change of political sentiment began, which eventuated, in 1828, in the paper heartily supporting General Jackson for President.

On December 12, 1828, the *Gazette* absorbed by purchase the *American Watchman*, Mr. Wilson's paper, which had already bought out the *Republican* and also the *Patriot*, the latter only a campaign sheet established to aid in the election of Jackson to the Presidency. After the consolidation the *Gazette* was changed to the *Delaware Gazette and American Watchman*. In 1830 it was sold by Major Harker to his brother, John Newton Harker, who, on June 10, 1834, sold the establishment to D. A. J. Upham, under whose management the paper was, July 1st of the same year, considerably enlarged. December 13, 1836, editorial announcement was made of the fact that John C. Klonegar would carry on the practical business of the office, Mr. Upham continuing as editor. In 1838 John Newton Harker again purchased the paper and returned to the old name of the *Delaware Gazette*. Mr. Upham emigrated to Wisconsin, and subsequently became mayor of Milwaukee and Governor of the State.

The next change in proprietorship was on November 4, 1842, when H. Bosee, who had been proprietor of the *Cecil Gazette*, published at Elkton, Md., bought an interest in the paper, and the firm of Harker &

Bosee was formed. This arrangement existed but a short time, as on January 1, 1843, the firm was dissolved, and announcement was made that H. Bosee and Caleb P. Johnson had purchased Mr. Harker's entire interest in the paper. Within a year—on January 1, 1844—the firm of Bosee & Johnson dissolved, and John Newton Harker again appeared as one of the proprietors, the firm then being Harker & Johnson. On January 1, 1845, Mr. Harker resold his interest to H. Bosee, and the firm of Johnson & Bosee was formed. Next year, on January 28, 1846, Mr. Bosee again sold out to John Newton Harker, and the firm became Harker & Johnson once more. On February 17th of this year the paper was enlarged, and William Huffington was announced as editor.

On February 9, 1847, John Newton Harker permanently retired from the paper, and was succeeded by William Penn Chandler, as part owner and editor-in-chief. The firm then became Johnson & Chandler. Mr. Chandler was a lawyer and an able writer. Harker & Johnson, in 1844, removed their office to the new Temperance Hall building, No. 2 East Fourth St., and in March, 1853, Mr. Johnson bought the property No. 416 Market St., and removed the *Gazette* office to it, where the paper was still published in 1883.

The firm of Johnson & Chandler continued until January 1, 1853, when Mr. Chandler retired and C. P. Johnson became sole editor and proprietor. Under his management the paper grew and prospered, and for years the *Gazette* was one of the most influential papers of the vicinity. During the troublesome times of the Civil War, when many Democratic papers were in constant difficulties with the dominant party, Mr. Johnson conducted the paper with rare judgment and discretion, and with loyalty to the party whose principles he supported, as well as to the general government.

During all this time the *Gazette* had been a weekly and semi-weekly publication, but on April 1, 1872, Mr. Johnson converted the semi-weekly into a daily, still continuing the weekly edition.

John Johnson, the grandfather of Caleb Parker Johnson, the subject of this sketch, came to America from England prior to the Revolution of 1776, and settled in, or near, Darby, Pa. He shortly after married Hannah Mitchell, the daughter of Benjamin Mitchell, a Quaker gentleman of that place, whose wife's maiden-name was Rudolph, a niece of Tobias Rudolph, of Elkton, Maryland. When the War for Independence was declared, John Johnson joined the patriots and served in a light horse company. Being a fine scholar, he was promoted to the responsible position of commissary, which he held until the close of the war. Some time after, he removed to the "Head of Elk Landing," to take charge of the grain business for Tobias Rudolph, large quantities of wheat and corn from Pennsylvania being then sent by vessels to Baltimore. The vessel by which he was coming from the latter city became frozen up, and desir-



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He was elected to Congress in 1850, and moved to No. 15 East Street, and in 1851 to No. 17 East Water Street. On August 1, 1852, on the other coast another election was held, and No. 4 Market Street. For years there was a strong opposition and advance on the part of the great masses. The election announced his election, and of the election of John Quincy Adams to the Presidency, to the House of Representatives, and a change of policy in the administration, which represented, in 1858, to be a most hearty supporting George Jackson for President.

On December 1, 1848, the *Gazette* absorbed by purchase the *Delaware Freeman*. Mr. Watson's paper, which had formerly bought out the *Freeman*, and also the *Age* of the latter, only a cartoon or sheet, as published to excite the election of Jackson to the Presidency. At the consolidation, the *Gazette* was changed to the *Delaware Gazette and American Freeman*. In 1849 it was sold by Major Hacker to his brother John Newton Hacker who, on June 10, 1849, changed the publication to D. A. F. Freeman, under whose management the paper was, July 1st of the same year consolidated with the *Age*. On December 1, 1846, editorial announcement was made of the fact that John F. A. Hacker would carry on the paper and business of the paper. Mr. Ugham, continuing as editor, in 1848 John Newton Hacker again purchased the paper and changed it to the old name of the *Delaware Gazette*. Mr. Ugham moved to Wisconsin, and subsequently to Chicago, where he was Mayor and Governor of the State.

The next essential ingredients were on November 1, 1911, when H. B. Shaw, who had been proposed in 1906 by G. C. C. to be the director of Historic Sites, brought in letters of introduction, and the firm of Hacker &

Boston was formed. This action, however, was not
 final, as on January 1, 1846, the firm was
 dissolved and an agreement was made by which
 each of P. Johnson, J. Newton Barker, and W. H. Chis-
 olin, interested in the paper, withdrew. On Janu-
 ary 1, 1846, the firm of Bosse & Barker was
 solved, and John Newton Barker, one of
 one of the proprietors, the firm name of P.
 Johnson. On January 1, 1846, Mr. Barker
 his interest to P. Bosse, and the firm of P.
 Bosse was formed. Next year, on January 1,
 Bosse again sold out to John Newton B.
 the firm became Barker & Johnson once more.
 February 17th of 1846, the paper was sold
 and W. H. Chisolin was the proprietor.
 On February 1, 1847, John Newton Barker
 retired from the paper, and was suc-
 ceeded by W. H. Chisolin, as part owner of
 the paper. The firm then became W. H. Chis-
 olin & Co. Mr. Chisolin was a permanent owner of
 Barker & Johnson in 1844, removed the printing
 new Temperance Hall building, No. 255 Es-
 St., and in March, 1847, Mr. Johnson removed to
 No. 410 Market St., and removed the
 office to it, where the paper was still published.

The firm of Johnson & Clark was organized on January 1, 1857, when Mr. Johnson purchased of P. Johnson, his associate partner and proprietor, of his ownership the paper press and printing office for years the *truth* was one of the best of the papers of the vicinity. During the troublous times of the Civil War, when many of the papers were in constant difficulties with the military, Mr. Johnson conducted the paper with independence and discretion, and with the aid of a party whose principles have survived, as well as the general government.

During that time the *Star* had been a daily and semi-weekly publication, but on April 1, 1901, Mr. Johnson converted the semi-weekly into a daily paper, and the weekly edition.

Taken Johnson, the grand father of the late Johnson, the proprietor of the skating rink, came from England prior to the Revolution and settled in, or near, Dard's Point. He subsequently married Hannah Mitchell, the daughter of John Mitchell, a Quaker gentleman, whose wife's maiden name was Dard's. At the outbreak of the War for Independence was declared, Johnson joined the patriots and served in the horse company. Being a first sergeant, he was promoted to the responsible position of captain, which he held until the close of the war. Some time after he received a commission as "Lieutenant" to the charge of the militia of the town of Dard's, and a large number of men from Dard's and along the coast of the Chesapeake Bay. The vessel by which he came from the latter city became the "Dard's."



C. P. Johnson.

ing to reach his family, Mr. Johnson undertook to walk over the river on the ice and was drowned. Thus his family became scattered. John Johnson, his youngest child, was put in care of Tobias Rudolph, and, receiving a fair education, learned the tailoring business. He served as a private in several campaigns in the War of 1812, and married Margaret Alexander. Six children were born to them, of whom Caleb Parker Johnson was the youngest son, Joseph M. dying when a lad of ten years. John A. Johnson, for many years favorably known in Cecil County, Maryland, as an extensive lumber merchant, was the eldest son.

Caleb Parker Johnson was born in Elkton, Cecil County, Maryland, on the 14th of February, 1820. He attended school until he was about twelve years of age, when he entered as an apprentice to the printing business with Richard P. Bayley, publisher of the *Cecil Republican*. When this paper ceased publication he engaged with Lambert A. Wilmer and George W. Venzey, publishers of *The Central Courant*, and afterwards, in 1834-35, with Henry Bosee, on the *Cecil Gazette*.

Having become proficient in the business appertaining to a country newspaper office, in 1837 the young printer left his native town and found employment at the profession he desired to be master of, in the cities of Philadelphia, New York, Baltimore and Washington. He spent the winters of 1840-41 in the latter city, and visited the Capitol frequently. Returning to Philadelphia, he "took a case" in the composing-room of L. Johnson & Co.'s stereotyping establishment, and continued there until November, 1842, when he was induced by Mr. Bosee, his former employer, to come to Wilmington and purchase one-half interest in the *Delaware Gazette*, then a Democratic weekly paper, published by John N. Harker and Henry Bosee.

On the 1st of January, 1843, the *Delaware Gazette* changed hands and appeared with the names of Henry Bosee and C. P. Johnson as publishers. From that time the *Gazette* was under the successful management of Mr. Johnson, although one-half of it was owned for ten years by either J. N. Harker, Henry Bosee, or William Penn Chandler.

On the 1st of January, 1853, Mr. Johnson bought the remaining interest in the *Delaware Gazette*, and became the sole owner and editor. Introducing steam presses, he increased the circulation of the *Gazette* and made it rank as one of the most reliable and potent Democratic newspapers in the Middle States. Delaware, which at that time had not given a Democratic majority for many years, was soon turned over to the Democratic party mainly through the determined advocacy of a more liberal policy in the State, through a Constitutional Convention. Sustaining the war with Mexico, the annexation of Texas and the acquisition of California and New Mexico, and the settlement of the northwestern boundary, the *Gazette* and Mr. Johnson became so pop-

ular in his party that he was for many years made the sole custodian of all the returns of nominations and elections, and in no instance was ever fraud found. The arduous duties of editor, reporter and manager were frequently performed by Mr. Johnson for months at a time, and no publisher on the Peninsula enjoyed greater credit. While the *Gazette* remained thirty-nine and a half years, from January, 1843, to May, 1882, under the control of Mr. Johnson, it was the most prosperous and successful newspaper in Delaware. An eminent gentleman, one who has been a constant reader of the *Gazette* for thirty years, remarks that "during the period Mr. Johnson was in control of the *Gazette*, from 1843 to 1882, the paper was a political and social power. It was emphatically the organ of the Democratic party of the State of Delaware in the highest sense. It gave direction to the best Democratic thought as well as voiced the party sentiment. The gifted men of the party sought its columns to reach their constituents, and its editorial rooms were frequented by the leaders of the party for information and counsel. Party policy, principles and platforms were largely moulded and controlled by its able suggestions. In the rural districts it was a frequent saying: 'The *Delaware Gazette* is the Democratic Bible.' The moral tone of the paper was unexceptionable. Its columns were closed to merely personal, scandalous and obscene articles, while full of general news and valuable information, making it a welcome weekly visitor to the family fireside. A first-class newspaper, healthy in tone, morals and politics, vigorous and able in a marked degree."

In 1848, Mr. Johnson married Ann Eliza, eldest daughter of Thomas Young, who was subsequently twice elected mayor of Wilmington. Unfortunately, this lady died in 1849, and in 1853, Mr. Johnson married Martha Bush Young, fourth daughter of Thomas Young. The fruit of this union, which has been happy and prosperous, is found in a family of six children,—three sons: Horace Cole, Caleb Parker and Albert Sidney, and three daughters: Martha Young, Helen Hales and Lola Alexander Johnson.

Mr. Johnson has always been held to be one of Wilmington's most honorable and liberal business men. He has contributed his influence and his money to every great improvement, having been a subscriber to the stock of every railroad built through Wilmington since 1842, and to the Odd Fellows', Masonic and Institute Halls, and was never known to evade or refuse the payment of a debt, but suffered the loss of many thousands of dollars rather than resort to legal modes for collections. His name was prominent in nearly all the Democratic county meetings and State conventions, as secretary or delegate, and on one or two occasions he was requested to allow his name to be used for nomination for Governor and Representative in Congress. But he neither asked nor sought office, and when appointed United States marshal for the Delaware District by President Johnson in 1866,

resigned after holding the position about a year. On May 1, 1882, Mr. Johnson sold the daily and weekly *Gazette* and the entire printing establishment to J. B. Bell and Merris Taylor, who then became proprietors, under the firm-name of Bell & Taylor.

The new firm did not meet with the success that had attended previous proprietors. They purchased the establishment at the instance of a number of Democratic politicians, but did not receive the support expected. The obligations assumed by the new firm were too heavy to be borne by them alone, and on December 10, 1883, the old *Gazette*, after an existence of ninety-nine years, was sold to the proprietors of *Every Evening*, and merged into that paper. Mr. Bell now devotes himself exclusively to the *Sunday Star*, which he started before going into the *Gazette* venture, and Mr. Taylor is connected with the *Every Evening*.

The *Delaware Journal*, for years the rival and contemporary of the *Gazette*, was first issued on April 24, 1827. The firm of Robert Porter & Son were proprietors, and Moses Bradford was the editor. It was issued semi-weekly, and was a staunch Whig paper, supporting John Quincy Adams for the Presidency with great vigor throughout the national campaign of the following year. The office of publication was at No. 97 Market Street. In 1835 it was published by Porter & Mitchell, and a year later Robert & J. B. Porter became the publishers. During this time Moses Bradford retired from the editorial chair, and was succeeded by William P. Brobson, a talented Wilmington lawyer of that day, and a clear, vigorous writer. On December 10, 1838, by reason of the death of Robert Porter, Henry H. J. Naff associated himself with J. B. Porter in the publication of the paper, and the firm became Porter & Naff. In the Presidential campaign of 1844 the paper ardently supported Henry Clay, and mourned greatly at his defeat, though its grief was mitigated by the fact that its vigorous work had kept Delaware safely moored in the Whig column.

Mr. Naff continued as editor of the *Journal* until 1849, when he retired to accept the postmastership of Wilmington. He lived to a ripe old age, was an active member of the Board of Education for years and was regarded as one of Wilmington's most honored and respected citizens. He was succeeded in the *Journal* office by Henry Eckel, the firm becoming Porter & Eckel, with Joseph M. Barr as editor. The latter was soon succeeded by John A. Alderdice, a prominent lawyer and politician, who purchased J. B. Porter's interest, the firm then being Eckel & Co. Mr. Alderdice continued as editor of the *Journal* until 1855. In this year the *Statesman*, which had been established the previous year by James F. Hayward, was sold to the *Journal*, after an existence of only nine months. The papers were merged, under the title of *Journal* and *Statesman*. In this year Dr. James F. Wilson (son of the James Wilson who published the old *American Watchman*) purchased Mr.

Alderdice's interest, and Joshua T. Heald also became a member of the firm, but remained so only a few months. The firm of Eckel & Co. (Mr. Eckel and Dr. Wilson) continued until 1862, when Mr. Eckel became sole proprietor of the establishment and editor of the paper.

Henry Eckel, one of the most worthy and useful citizens of Wilmington, was born in Philadelphia, Pa., December 30, 1816.

His father was a German. His mother was a native of Philadelphia of German ancestry. Mr. Eckel is thus a true type of a successful German-American. From his mother, who lived to an advanced age, he inherited vigor both of physical and mental constitution. From her also he derived those moral characteristics which have been always so prominent in shaping his prosperous career.

In his well-prolonged life six months would probably cover the time during which he has been disabled by physical illness. Smaller perhaps (even) than this proportion of his natural life, is that of the willful errors which even his rivals or critics would charge to his account in the course of an exceptionally upright life. Because of the death of his father, his early scholastic education was limited. He enjoyed the advantages of the instruction given (on Chester Street) in his native city, at the first Model School of the Lancasterian system. A period of three years covered his privileges at this school, and afforded him all the opportunity he ever had to attend a scholastic institution. Graduating without formalities at the Model School on Chester Street, he at once entered that wider school of "life in earnest" in which he has since had large experience and success.

Guided, perhaps, by the development of his special aptitudes at the Model School, Mr. Eckel selected a printing-office as probably best adapted to his traits and capabilities. He began as a "printer's devil," about the year 1829, in the office of Messrs. Crissy & Goodman. Devoting himself with characteristic conscientiousness to his business, he advanced, in due time, step by step, through all the grades of his vocation, up to journeyman and managing editor, and proprietor. Wishing to escape from the crowded city to the freer air of a country neighborhood, he came in 1849 from Philadelphia to Wilmington to work, on lower terms also, as a journeyman in the office of Messrs. Porter & Naff, who were at that time publishing the *Delaware State Journal*, the leading Whig paper in Delaware. Here, observing the defective and coarse style of printing prevailing, he addressed himself with his acquired skill to the task of producing finer typographical work than could then be found in the State. He was successful in his endeavor, and was instrumental in bringing his chosen art up to the high standard that it now maintains in Wilmington.

Among the strong elements in Mr. Eckel's character, one which has been specially prominent is his indomitable perseverance. Despair of accomplish-



Henry Eckels.



Henry Eckel.

ment found no abiding-place with him in any undertaking approved by his judgment and conscience. Having once settled in his mind that the thing proposed could be and ought to be done, and by him, he addressed himself to the work and considered that failure was not to be thought of. The result was, success. Straightforward in endeavor, with an unconquerable aversion to bribes and chicanery, a fixed ambition to be true and pure and faithful, with a resolute inflexibility of purpose and devotion to the right, Mr. Eckel has attained an enduring and acknowledged success.

Preferring his chosen vocation and aware of the unnumbered snares of public office, Mr. Eckel has declined to accept lucrative appointments under the government. In this spirit he declined the position of postmaster at Wilmington, which had been offered to him during the administration of President Lincoln. As editor of the *Delaware State Journal*, Mr. Eckel thought he could better serve the cause of his country, and in this position he remained until 1872. As a citizen, however, he has not declined service for the public good. If he declined places of profit in which emolument exceeded labor, he has not refused to serve his fellow-citizens in positions of responsibility where the labor exceeded the reward. Mr. Eckel has been identified with every public interest of Wilmington for nearly forty years. For twenty-two years, first as journeyman, and finally as editor of the *State Journal*, his energies were devoted through that paper and otherwise to the widest developement, in the largest and most liberal sense, of every enterprise, civil and religious, which promised substantial benefit to the city of his choice.

He has served the interests of the city as a member of the Boards of Health and of Education. At a great sacrifice of personal ease and pleasure, he has rendered invaluable service as a member of the City Council, of which he is now the presiding officer. In politics he is a consistent, conservative Democrat, of the Jeffersonian school, always devoted to pure politics and cordially abhorring the disreputable finesses of the demagogue.

In religion, Mr. Eckel and his wife, who is also a native of Philadelphia, are esteemed members of the Presbyterian denomination.

He is also a member of the Masonic order and of the order of Odd Fellows. In the latter organization he has rendered conspicuous service and done much to shape its laws and policy through a period of thirty-seven years. He has a pleasant home and family at his residence on King Street, in Wilmington.

Mr. Eckel has two children,—a daughter, Laura I., who resides with her parents, and a son, Edward Henry, now taking the usual course of preparation for active service as a minister in the Protestant Episcopal Church. He is pursuing his studies at the General Theological Seminary in New York City.

The *Journal* supported the Republican party until 1868, when it became Democratic in politics. On May 1, 1872, Mr. Eckel turned the semi-weekly issue into a daily, but a month later he sold the *Journal and Statesman* to the proprietors of *Every Evening*.

During its existence the paper was for years published in the building on the southeast corner of Fifth and Market Streets, but in 1869 Mr. Eckel removed the establishment to the building No. 510 Market Street, adjoining the City Hall.

Wilmington had no permanent daily paper until 1866. About 1857 an attempt was made by Henry L. Bonsall, of Camden, N. J., to establish a paper under the name of the *Daily Enterprise*, but it did not last a week. No other attempt was made until 1866, when a Mr. Tyler canvassed the town for subscriptions and advertisements for a daily paper he proposed to start. Before he had proceeded far, Howard M. Jenkins and Wilmer Atkinson came here from Norristown, Pa., purchased of Mr. Tyler the interest he had then acquired in the field, established a complete newspaper and job printing-office at the southwest corner of Fifth and Market Streets, and on October 1, 1856, issued the first number of the *Wilmington Daily Commercial*, a Republican journal. The paper prospered, and a weekly edition, called the *Delaware Tribune*, was soon added. Until 1878 the establishment was in good financial shape, but the protracted panic that began that year evidently had its effect upon the proprietors. In the summer of 1876 it was reduced in size, and the price lowered from two cents to one cent. This move failed to restore prosperity to a sufficient degree, and on April 2, 1877, the paper was sold to the proprietors of *Every Evening*, which paper thus absorbed the first daily, as it had already acquired the two oldest weekly publications of the State. The *Commercial* job office was sold to Ferris Brothers, by which firm it is still conducted. Of the publishers, Mr. Jenkins, who was the editor of the *Commercial*, is now editor of the *Weekly American*, of Philadelphia, and Mr. Atkinson is publisher of the *Farm Journal*, also of Philadelphia.

The *Every Evening* that thus gathered in, one by one, its aged rivals, was first issued on September 4, 1871, by William T. Croasdale and Gilbert G. Cameron, under the firm-name of Croasdale & Cameron. Mr. Croasdale was an editor of some experience, having conducted a weekly paper at Georgetown, Delaware, and been city editor of the *Wilmington Daily Commercial* from its establishment until that time. Mr. Cameron was a printer and learned the trade in the *Republican* office. Mr. Croasdale conceived the idea of the *Every Evening*, and was firm in the belief that a bright, newsy, independent paper, at one cent per copy, would succeed in Wilmington. The starting was on a very modest scale. Two rooms were secured on the second floor of the building, No. 4 E. Third street, one for a composing room and the other for an editorial room and a business office. The paper

was printed at the establishment of the James & Webb Printing and Stationery Company, a few doors away.

The venture was a success from the start. The paper was bright, newsy and cheap, and the people were at once attracted to it. Mr. Croasdale was not only a pleasing and vigorous editorial writer, but had a keen eye for news, and the paper from the start established a reputation for giving, promptly and fully, all the important events of the day. In less than six months it had acquired a circulation of over 2500 copies daily, figures that were then deemed enormous.

The subject of increased accommodations and better press facilities had begun to bother the proprietors, when an opportunity to secure both was afforded by purchasing the *Daily Journal* and its weekly issue, the *Delaware State Journal and Statesman*, then published by Henry Eckel at No. 510 Market Street. The purchase was consummated about the 1st of June, 1872, and *Every Evening's* plant was removed to the *Journal's* quarters, which were convenient and commodious. The *Journal* was merged into *Every Evening*, and the *Delaware State Journal and Statesman* continued as the weekly issue of the united papers. With this change *Every Evening's* growth continued, and its circulation increased so rapidly that a fast double-cylinder press had to be put in. Within a year after the removal the circulation of the paper reached 6000 copies daily.

In 1875 the paper was disposed of to the "Every Evening Publishing Company," Messrs. Croasdale & Cameron retaining a controlling interest in the concern and Mr. Croasdale continuing as editor. Two years later, on May 1, 1877, the younger journal surprised the community by buying out its older daily contemporary, the *Commercial*. The latter paper was merged into *Every Evening*, and its weekly edition, the *Delaware Tribune*, lost its identity in the *Delaware State Journal and Statesman*. The *Commercial*, at that time, was published in the large building at the southwest corner of Fifth and Market Streets, and to this location the *Every Evening* plant was removed. By reason of this consolidation it was deemed advisable to increase the size of the paper to an eight-column folio, and this demanded an increase in price to two cents. The circulation fell off somewhat in consequence, but the paper increased its already excellent news features to such an extent that it soon regained those customers that had been temporarily frightened off by the increase in its selling prices.

In 1882 the sale of the building in which the office was located, rendered it necessary to seek new quarters, and the lot immediately in the rear, fronting on Fifth and Shipley Streets, was secured. Upon this site the company erected a four-story brick building, especially adapted to the newspaper business, and possessing all the arrangements and conveniences necessary for the successful management of a leading newspaper. Here the paper is now published, and it will, doubtless, continue in these comfortable quarters for years to come.

On December 10, 1883, the Every Evening Publishing Company purchased from Messrs. Bell & Taylor the *Daily Gazette* and its weekly issue, the *Delaware Gazette*. The *Daily Gazette* was merged into the *Every Evening*, the full title of that paper being *Every Evening Commercial and Gazette*. The *Gazette's* weekly issue was merged into *Every Evening's* weekly issue, under the title of the *Delaware Gazette and State Journal*. In this shape the *Every Evening* publications have since continued, ever increasing in circulation and influence, and forming a prosperous and profitable newspaper property.

The title of the proprietary company has recently been changed to the Every Evening Printing Company, and Messrs. Croasdale & Cameron, the original proprietors, are no longer connected with it. Mr. Croasdale, in March, 1882, went to Baltimore and assumed editorial control of the *Day* of that city. He subsequently went to New York, was for several months editor of the *New York Star*, which position he resigned to become an editorial worker on Henry George's labor journal, the *Standard*. He is prominently identified with the Labor party of New York City and State. Mr. Cameron is now connected with the mercantile agency of R. G. Dun & Co. Edward N. Vallandigham succeeded Mr. Croasdale as editor of *Every Evening*. He is now on the staff of the *New York Mail and Express*, and was succeeded on *Every Evening* by the president editor, George W. Humphry. John M. Whitford is the capable business manager of the paper.

Dr. William Gibbons edited and published the *Berean*, a religious journal, from 1824 to 1827.

William Penn Chandler, in January, 1847, began the publication of the *Delaware State Democrat*. Previous to this he had been an assistant editor of the *Gazette*. In February, 1847, he became a partner with C. P. Johnson in the publication of the *Gazette*.

Blue Hen's Chicken was the significant title of a paper started August 22, 1845, by William T. Jeaudell and Francis Vincent. It devoted more space and attention to local news than any paper previously published in the State. In 1847 Mr. Jeaudell sold his interest to Augustine Maillé, a Frenchman, and three months later Francis Vincent became sole proprietor. He continued to publish court proceedings and the reports of public bodies, and gave accounts of the erection of new buildings, the manufacturing interests and all noted improvements in Wilmington, as a leading feature of his paper. In 1846 its editorial columns advocated the transfer of the political power in the State from the hands of the Whigs to the Democrats, and in 1852 favored the calling of the convention which revised the State Constitution. The paper was bought in 1854 by Dr. James F. Heyward, then mayor of Wilmington, and who had previously published the *Statesman*. He united the two, and called them the *Statesman and Blue Hen's Chicken*,—an ardent anti-slavery organ, which he continued to publish for about a year, and then sold

out to Henry Eckel, who united it with the *State Journal*.

Francis Vincent was born in England in 1822, and came to this country at the age of seventeen years, and learned the printer's trade in the office of the *Delaware Gazette*, and gained a reputation as a newspaper man of enterprise in his management of the journal above-mentioned. He joined the Republican party when it was organized. In 1861 he bought the *Commonwealth*, changed its name to the *Blue Hen's Chicken*,—the same title as the paper he previously owned,—and continued it as an ultra Republican journal until the fall of 1863, when he sold it. In 1868 he wrote an essay for the Cobden Club of London, recommending an Anglo-Saxon Confederation, and in 1875 was elected an honorary member of that club. He was an alderman of Wilmington from 1864 to 1869, and city treasurer from 1873 to 1879. He died June 23, 1884. Francis Vincent was a man of a great deal of general information, and during his whole life was a diligent student. In 1870 he published one volume on the early history of Delaware.

Dr. John Lofland, known, as the "Milford Bard," in his early days lived in the town of Milford, and while there wrote a number of poems which appeared in the columns of the *Delaware Gazette*. He was also a contributor to the *Philadelphia Casket* and the *Saturday Evening Post*. A few of his productions were poetical gems. In 1847 he became an associate editor of the *Blue Hen's Chicken*, and wrote a great many stories and sketches for that paper. He died in Wilmington, January 21, 1849, age forty-nine years, and his remains were interred in St. Andrew's Church-yard.

The *Delaware Inquirer* was started during the political campaign of 1860 by James Montgomery. It advocated the election of Stephen A. Douglas as President of the United States. It continued for about five years under the proprietorship of its founder. It was then bought by James B. Riggs, who continued it a few months, when its publication ceased.

The *Morning Herald*, the first morning daily paper published in the State, was an outgrowth of the *Wilmington Advertiser*, a small advertising sheet, started by George Chance in connection with his job printing establishment. The leading spirit in the establishment of the *Morning Herald* was John O'Bryne, Esq., a leading member of the Philadelphia bar, who came to Wilmington and took up his residence. It was controlled by three of his sons and a sister, Miss Catherine O'Bryne, under the firm-name of George O'Bryne & Co. The first number was issued in August, 1876, and for some months it gave promise of vigor and long life, but it soon showed lack of management, and got tangled up financially, but continued to appear until March, 1880, when it passed into the hands of John H. Emerson, one of the pioneer newspaper men of the Peninsula, who, with

Henry C. Conrad, a member of the New Castle County bar, soon afterwards started the *Morning News*.

The *Morning News*¹ was first published under this name on March 1, 1880, the property then being owned by Henry C. Conrad and John A. Emerson, under the firm-name of Emerson & Conrad. It was a new venture in Wilmington journalism, and was especially distinguished by securing the news-service of the New York Associated Press, which had never before been done by a Delaware paper. It was Republican in politics, and at once took advanced ground on many of the unsettled questions of State reform. After four months of hard work, chiefly devoted to the organization of the paper, Mr. Emerson withdrew from the firm, and Isaac R. Pennypacker, the well-known editorial writer of Philadelphia, took his place. The firm of Conrad & Pennypacker conducted the journal with much ability until January, 1882, when Mr. Conrad, the senior partner, decided to resume his law practice. The property was accordingly purchased by the News Publishing Company, a stock association, organized under a charter obtained by Conrad & Pennypacker from the Legislature. The stockholders, at the time of this sale and reorganization, consisted of the late owners, a number of representative manufacturers, merchants and professional men of Wilmington, the late Isaac Henderson, formerly joint owner with the late William Cullen Bryant of the New York *Evening Post* for forty years, and Watson R. Sperry, a graduate of Yale University in the class of '71, who had held an editorial desk in the office of the *Evening Post* from the date of his graduation until the sale of that journal by Mr. Henderson and Mr. Bryant's heirs, and during the last six years of this period had been the managing editor, and after Mr. Bryant's death had been for about three years the responsible editor. Mr. Henderson and Mr. Sperry were the principal stockholders, and the latter became editor-in-chief. The controlling stockholders are Mr. Sperry and Edgar M. Hoopes. Mr. Hoopes is a product of the Western Reserve, Ohio, and after completing his education, received a thorough newspaper business training in the counting-rooms of the *Chicago Times* and the *Cleveland Leader*. He is secretary of the company and business manager of *The Morning News*, and has direct charge of all its business affairs. Mr. Sperry, in addition to exercising full editorial control, is the president and treasurer of the company. The paper was at once enlarged, its reportorial force increased, and its general usefulness much extended. Three months later it was moved from Shipley street into the *Morning News* Building, its present handsome and commodious quarters, at No. 511 Market Street. The *News* became at once an enterprising force in the community. Municipal, State and national politics received a large share of its attention, and the fierceness with which it discussed local abuses is gauged, probably, by the fact that during

¹ By Frederic E. Bach.

the first eighteen months of its progress under the new management three different libel suits were brought against it. The justice of its criticisms may also be measured by the consequent fact that not one of these suits was pressed to a conclusion.

On April 6, 1883, the first number of the *Weekly Morning News* was issued, a journal that has since become deservedly popular, partly on the ground that it publishes weekly, probably, more local news of the city and the Delaware and Maryland Peninsula than any of its sixty odd contemporaries.

In December, 1884, the daily *News* went safely through the ordeal of a printers' strike, ordered by the Typographical Union, which took exception to a non-union employee. The paper did not miss a single issue, and in a week thereafter was running along as usual, with a non-union force of printers, which has been retained up to the present time, and which is now organized as part of the Delaware Fraternity, No. 4, of the National Printers' Protective Fraternity.

In the spring of 1886 the great morocco strike of the city of Wilmington occurred, when, on March 23d, at noon, over fifteen hundred morocco workers walked out at the command of the Executive Committee of the Knights of Labor. The strike was so sudden, so general and so ruinous to the business interests of the city, that the community was paralyzed. The following morning the *News*, giving a full account of the strike itself and the causes or motives that led to it, expressed in unmistakable and forcible words its judgment that the strike was wrong and wicked in inception, and that it would result not only injuriously to the community, but disastrously to the strikers. This position it maintained alone among all the journals of the city for fully two weeks, or until the brunt of the bitter contest was over.

In the mean time, however, on March 31st, the Typographical Union ordered a boycott on the paper, mainly on the ground that it was opposing the demands of "organized labor," and all the usual methods of boycotters were employed to break it down. But this act proved a failure, as it brought to the journal the prompt and generous support of the business portion of the community. The *News* has always avowed its sympathy with the real welfare of workingmen, but in its utterances has declared that property rights which have been established by successful workingmen must be protected from other workingmen who were trying by a short-cut to secure the rewards of successful labor without working for them.

The *News* has labored indefatigably for the many reforms that are now being agitated in Delaware. It has urged earnestly and unceasingly upon its constituents the necessity for a Constitutional Convention, and has advocated district representation, elective county officers, a free ballot and the suppression of bribery. In local affairs it waged a relentless war against the policy-writers and other gamblers who had fastened themselves upon the city, and in this

particular it saw its labors crowned in the partial suppression of these social vampires in the autumn of 1887. It also very early discarded from its columns all lottery advertisements, and discussed the matter so thoroughly that these advertisements do not appear now in the other reputable newspapers of the State.

The *News* is the only general morning newspaper in the State, and it therefore fills a very large and important place in the dissemination of news and opinions in the territory between the Delaware and Chesapeake Bays, which includes Wilmington, and which is peculiarly its field. While it has been and is now staunchly Republican in opinion, its readers are very largely divided between the two great political parties, and under the impetus of the recent movement for a Constitutional Convention, of which it had long been the especial and earnest champion, its influence was greatly extended among the liberal people of all parties and factions.

The *Morning News* has been enlarged three times since it came under its present management, and is now a four-page paper of eight columns each. It has just added to its plant a fresh dress of type and one of Hoe's improved and fast-printing presses, with folders. It prides itself upon having built up a solid and profitable business without depending upon political patronage, its customers coming to it because they find its advertising columns of service to them. It is published daily, except on Sunday, and is sold at two cents a copy.

The *Delaware Republican* under its present name was first published as a weekly in Wilmington in February, 1841. Henry Cannon began the publication of the *Republican* in Georgetown in 1839. In 1841 he came to Wilmington and, with John H. Barr as partner, merged the two journals last named into the *Delaware Republican*. A few months later William T. Jeandell and William S. Mills, both printers, purchased the interest of John H. Barr, and the paper was continued under the name of Cannon & Co. In less than a year this partnership was dissolved by Henry Cannon disposing of his share in the business to John A. Alderdice, who in 1853 was mayor of Wilmington, having been elected by the Whig party. Disputes arose among the three partners and the paper passed under the control of gentlemen appointed by the Court of Chancery. In 1844 Henry S. Evans, of West Chester, purchased the *Republican* and placed it under the editorial management of his brother, Columbus P. Evans. Shortly afterwards, in February, 1845, George W. Vernon, the present senior proprietor of the *Republican*, joined Mr. Evans in its publication, and the firm became Evans & Vernon, which continued until the death of Mr. Evans, in 1845, when Mr. Vernon became sole proprietor.

In 1860 the *Republican* favored the election of Bell and Everett as candidates for President and Vice-President of the United States, but during the Civil War it was an ardent supporter of the administration

of Abraham Lincoln, and since then has always advocated the principles of the Republican party in local and national affairs. The office of the paper until 1848 was at the southwest corner of Third and Market Streets, Wilmington. In the same year it was removed to the southeast corner of the same streets, where it was published until 1866, when the proprietor, George W. Vernon, bought of the heirs of Daniel Hully the present site at the southeast corner of Third and King Streets, upon which he erected the present offices.

Mr. Vernon is a native of Chester County, Pennsylvania, and when a boy learned the art of printing in the office of the *West Chester Village Record* with Henry S. Evans. Among his associates in the office of the *Record* were Bayard Taylor, Judge William Butler, Edward Paxson and Columbus P. Evans, afterwards his partner. Since he first came to Wilmington, in 1845, Mr. Vernon has devoted his entire time and attention to the *Republican*.

In 1874 he established the *Daily Republican*, a prosperous paper published in the afternoon.

A few years ago Mr. Vernon took into partnership his three sons—W. Scott, George F. and Howard E. Vernon. At the session of 1877 the General Assembly incorporated the Republican Printing and Publishing Company, which has since conducted the paper.

Captain Columbus P. Evans, who, for nine years, was a partner in the publication of the *Republican*, was born in Montgomery County, Pennsylvania, September 6, 1824. His father died when he was nine years old and his mother moved to West Chester, where she trained and educated her children. At fourteen he entered the office of the *Village Record* as an apprentice. In 1844, when but twenty years old, he took charge of the *Republican*, and the next year, as has been stated, took in as partner George W. Vernon. In 1847, as second lieutenant of Company F, Eleventh Regiment of United States Infantry, he went to Mexico and participated with his command in all the battles of General Scott's triumphant march from Vera Cruz to the city of Mexico. At Molino del Rey he led the advance at the storming of the enemy's works, and with his own hands captured the sword of a Mexican officer. At Chapultepec he was in command of his company. He was promoted to first lieutenant in February, 1848, and the same year breveted captain for gallant and meritorious conduct in the war. On February 20, 1849, he was presented with a sword by the Delaware Legislature. After the close of the war, in 1848, he returned to his duties in the newspaper office, was mayor of Wilmington, elected by the Whig party in 1851. In 1853, being prostrated with consumption, he went to spend the remainder of his days in West Chester with his sister. He died there Feb. 19, 1854, at the age of thirty years.

The *Delaware Sentinel* was started in Wilmington by a faction of the Whig party in 1840, with William Naudain as editor. Its career was not successful,

and at the end of nine months from the date of its origin, a committee of gentlemen who were financially interested in it, headed by Dr. James W. Thomson, took charge of it and changed the name to the *Delaware Democrat*.

The *Delaware Pioneer*, a weekly, twenty-two by twenty-four inches, published by Frederick Haehnle, made its appearance in 1859 as the first paper in Delaware printed in the German language. Herman Rau owned it from 1861 to the time of his death, in 1876, when Francis Sheu, who was then business manager, purchased it. In January, 1881, he established the *Freie Presse*, a daily, twenty-four by thirty inches, also a German paper. He continued to be the owner and editor of both journals until September, 1886, when he died. His widow, Nannette Sheu, has since owned them, Gustavus Sheu, her son, being the editor. These papers circulate quite extensively among the six thousand German-speaking people in Wilmington and vicinity, and are also taken and read in all the counties of the State. They are both independent in politics and are devoted to news and general literature. Francis Sheu was a native of Würtemberg, Germany, and emigrated to Philadelphia in 1849, where he remained several years in the printing business, and then for fourteen years conducted a German paper in Egg Harbor, New Jersey. He afterwards published the *Sonntags Zeitung* in Philadelphia, until he removed to Wilmington.

The *Peninsula Methodist* is the only religious newspaper now published in Delaware, and is devoted to the interest of the Wilmington Methodist Episcopal Conference. It was started in 1875, under the name of the *Conference Worker*, by W. S. Armour and Charles H. Sentman. At the end of six months Mr. Armour retired and F. J. Lindsay and R. F. Cochran became associated with Mr. Sentman in its publication. A year later Charles H. Sentman became sole proprietor and continued until June 16, 1884, when he sold the paper to J. Miller Thomas, who, on June 28th following, first issued it under its present name. It is an eight-page paper, nineteen by thirteen and a half inches. Rev. T. Snowden Thomas is the editor, and his son, the proprietor, is assistant editor.

The *Wilmingtonian* was established April 1, 1882, by the present editor and proprietor, Dr. Henry C. Snitcher, as a journal treating upon subjects of domestic and sanitary science. The demands of the times called for an occasional expression of opinion upon current questions of social, religious and political nature, and finally every phase of interest to the community was given attention. Politically it is an independent Democratic journal in discussing State and national affairs. In county and city affairs it aims to indorse and sustain the best man for office. The *Wilmingtonian* still retains its earliest phase of a family journal and in that field finds its largest success. It is a four-page, seven-column weekly and is printed and published at 211 Shipley Street. J. E. Nicholson, now of Baltimore, was associated with

Dr. Snitcher until 1884; since that date Mr. J. Travers Jones has assisted in the editorial management.

The *Farm and Home*, a weekly eight page agricultural and family paper, was started in Dover October 15, 1885, by Wesley Webb, its present editor and proprietor. He continued to publish it at the State capital until October 20, 1887, when he removed it to Wilmington. In 1886 the *Ploughshare*, published in Wilmington, was merged with this journal.

The *Weekly Times* was published in Wilmington from October, 1886, to February, 1887; the *Delaware Prohibitionist* from September 13, 1884, to September 17, 1886; and the *Temperance Herald* in 1882.

The first Sunday paper published in Wilmington was the *Sunday Dispatch*, and was started by Francis Sheu in 1878. It continued two and a half years. In 1880, D. Taylor Bradford started the *Sunday Mirror*. It suspended publication at the end of five months. William P. Bancroft published the *Sunday Critic* for two years. It succeeded the *Sunday Mirror* mentioned above.

The *Sunday Republic* was started in December, 1887; Charles H. Vary, editor, and W. S. McNair, assistant editor and business manager.

The *Sunday Morning Star* first appeared March 6, 1881, with Jerome B. Bell as editor and proprietor, and it has since prospered under his management. He was born in Camden County, North Carolina, came to Wilmington in 1871, learned the art of printing in the office of *Every Evening*, filled various positions on that paper and was its managing editor when he embarked in his present enterprise. The *Star* at first was a six-column folio twenty by thirty inches; at the end of ten weeks it was enlarged to twenty-two by thirty-four inches, and three months later to twenty-three by thirty-eight inches, and on July 8, 1883, to its present size, twenty-five by forty inches. It is devoted to general news and literature, and aims to treat the subject of politics as news. In 1887 the paper was purchased by the Star Publishing Company.

The *People's Witness* was established December 4, 1886, by Worthington Brinckley. It is the only newspaper in Delaware published in the interests of the colored people, and is quite liberally patronized by them. It is an eight-page journal, and is published at 826 King Street. The *Standard*, the semi-monthly organ of the Delaware Conference of the Colored Methodist Episcopal Church, was issued from this office for one year, and is now published in Philadelphia.

DOVER.

The *Federal Ark*, the organ of the Federalist party, was the first newspaper printed in Dover. It was started in 1802, but ceased publication a year or two later. The *Delaware Herald* appeared in 1805, and disappeared the next year. Augustus M. Schee was its publisher. The *Record and Federal Advertiser*

was started by J. Robinson, on February 7, 1825, in the interests of John Quincy Adams as a candidate for President. The paper had a brief existence.

Samuel F. Shinn in 1822 and the following year published the *Delaware Intelligencer*. William Hufington, mayor of Wilmington in 1856, published the *Delaware Register and Farmer's Magazine* in Dover, the first number being issued in February, 1838. It was an ably-edited monthly, and ceased to exist with the close of the second volume in January, 1839. Samuel Kimmy, who published the *Register*, ran a paper in Dover for two years, and William Wharton, in 1851, began a Whig organ, called the *Sentinel*. After being published for three years, it ceased.

The *Delaware State Reporter*, with George W. S. Nicholson editor and proprietor, first appeared March 1, 1853, as a Democratic paper. It opposed the cause of temperance, and was continued by the founder until August 1, 1859, when William Sharp purchased it and conducted it a few months, when its types and presses were sold in Philadelphia. The *Protectionist* was published for a short time in Dover.

The *Delawarean*, a weekly newspaper, was established May 7, 1859, by a stock company, with James Kirk as editor. It has since been the State organ of the Democratic party, and has always been favorably known in journalism for the strength and character of its political editorials. Another feature worthy of note is its excellent mechanical execution. The paper was conducted by James Kirk until March 4, 1876, when Hon. Eli Saulsbury became proprietor, and Charles E. Fenn manager. On the 1st of January, 1884, John F. Saulsbury and John P. Saulsbury succeeded to the ownership. The latter retired from the business in January, 1887, and it is now continued by John F. Saulsbury, who was born in Mispillion Hundred. He is a prominent leader in Delaware politics. His editorials are vigorous and fearless in tone. Mr. Saulsbury has been a clerk and member of the House of Representatives. It is an eight-column folio, twenty-eight by forty-two inches.

The *State Sentinel*, a weekly, was established at Dover May 15, 1874, by Henry W. Cannon, its present editor and proprietor, who is a native of Kent County. The *Sentinel* is a representative Republican journal, and fills an important position in the journalism of the State. Originally this paper was a seven-column folio, twenty-eight by thirty-two inches. On October 2, 1875, it was enlarged to nine columns, thirty by forty-four inches. The office is in the Burton Block, corner of State and Lookerman Streets. The *Sentinel* is a well-conducted local newspaper, is edited with ability and is neat and attractive in appearance.

The *Index*, an eight-column folio, Democratic newspaper, was started July 21, 1887, under the editorship of H. C. Carpenter, with F. M. Dunn as manager. It is a bright, newsy and enterprising weekly. The office is at the northwest corner of Lockerman and Bradford Streets, Dover.

GEORGETOWN.

The *Republican and Peninsula Advertiser*, the pioneer newspaper in Georgetown, made its first appearance in 1835. William S. McCalla, who came from Philadelphia, was its editor and proprietor. About 1838 he sold it to Thomas Sipple and returned to the Quaker City, where, for many years, he published the *Episcopal Recorder*, a church journal. Thomas Sipple continued the paper for a time, when it ceased publication.

The *Super-Luminary* began its publications in the county-seat of Sussex in 1836. It published the proposals for the erection of the new jail; the next year fell a victim to "the great panic of 1837," and ceased publication.

In 1839 Henry H. Cannon started the *Georgetown Republican*, which for a short time was the only paper published in the State outside of Wilmington. In 1841 he moved his paper to Delaware's metropolis, united it with the *Sentinel* and, with John H. Barr as partner, founded the *Delaware Republican*. The history of this journal is given on a preceding page.

The *Union* originated September 11, 1863. It stood up bravely for the administration of Abraham Lincoln, and received considerable patronage from Governor Cannon. L. W. Wallazz was its first editor, J. P. McGuigan its second and William T. Crowsdale, one of the founders of the *Evening*, at Wilmington, its last. It ceased publication about the latter part of 1865.

The *Sussex Journal* was established by Colonel William Fiske Townsend, of Easton, Md., who bought the type and presses of the *Union*. The first number of the *Journal* was issued August 9, 1867. It has since exerted a commanding influence in the lower part of the State, and is a well-conducted newspaper. Colonel Townsend was editor and proprietor until the time of his death, November 24, 1879. David T. Marvel and McKendree Downham bought the *Journal* February 7, 1880, and continued it under the firm-name of Marvel & Downham, with the former as editor.

In January, 1882, J. B. Clark became editor with Mr. Marvel. On January 27, 1883, Mr. Marvel retired and Clark & Downham continued as publishers, with J. B. Clark as editor. It is an eight-column journal.

The *Delaware Democrat* was founded at Georgetown, January 7, 1882, by the Delaware Democrat Publishing Company, composed of John R. McFee, John H. Paynter, now a judge of the Superior Court of Delaware, Edwin R. Paynter and William B. Tomlinson. These gentlemen a few days before purchased the plant of the *Delaware Inquirer*, and with its types and presses began the publication of the *Delaware Democrat*, a weekly newspaper, with John H. Paynter as editor, and Edwin R. Paynter manager, Charles W. McFee acting as associate. The paper was soon enlarged and a valuable power-press substituted for

the old hand-press. In 1884 the company built a handsome building to the rear of the court-house, using the upper part for its own purposes and leasing offices on the lower floor.

In politics the paper has always been strongly Democratic, and has exerted no little influence in the county and State. Though the number of newspapers has greatly increased in the county since the *Democrat* was established, its circulation has steadily increased until the number of subscribers exceed that of the paper it succeeded.

In April, 1887, upon the appointment of John H. Paynter to the position of a judge of the Superior Court of Delaware, Edwin R. Paynter succeeded to the editorship. The paper is established upon a firm foundation, and is growing in circulation and influence.

MILFORD.

The *Milford Beacon* was founded in 1848 by John H. Emerson, afterwards editor of the *Union*, published at Denton, Md. He sold the *Beacon*, in 1851, to Colonel J. Hart Conrad, of Philadelphia. Colonel Conrad died the next year, and the paper was purchased by James B. Mahan, who previously was its foreman and assistant editor. George W. Mahan, a brother, was taken into the business as a partner, and the paper was continued by the Mahan Brothers at Milford until 1859, when its name was changed to the *Diamond State* and the office removed to New Castle, where the paper was continued under the same management.

The *Sussex Journal* was started in South Milford in 1856, but did not succeed. In 1857 the name of the *Beacon* was revived in a newspaper started by a Mr. Chambers, from Maryland, and he, soon after its inception, sold it to W. W. Austin, who discontinued it in a few months. In the same year, 1857, two other papers were started in Milford,—the *Peninsular News and Advertiser*, by James D. Prettyman, and the *Observer*, by Truitt & Ennis. Three newspapers seemed to be more than were needed, and the result was the discontinuance of the *Beacon* and the *Observer* and the survival of the *News and Advertiser*. The latter had a stormy and varied existence. It was an ultra Republican journal, favored the abolition of slavery, and was the first organ of the Republican party published in the State of Delaware. In answer to a call a public meeting was held to decide whether or not the community would allow the paper to continue. A committee was appointed by the meeting to wait upon Dr. John S. Prettyman, the editor, and urge that he modify the tone of his paper. He, however, continued it in the same spirit. Its ownership, however, changed hands several times, E. P. Aldred, James B. Mahan and W. H. Hutchins succeeding each other as proprietors until it was discontinued, after an existence of six years. The *Milford Statesman* was published for a short time by Mr. Briggs, of Wilmington.

In 1867 James B. Mahan again came to the front

and started the *Milford Argus*. In a few months it was sold to the Revell Brothers, who published it about a year when J. Lowery & Co. purchased it and changed the name to *Our Mutual Friend*. In 1870 it passed into the hands of General Levi Harris & Co., who ran it a year, when Dr. John S. Prettyman purchased the whole establishment, and in 1872 started the *Peninsula News and Advertiser*, associating with himself Dr. W. C. Davidson as editor, and William P. Corsa as publisher. Dr. Prettyman continued to control it for several years, and in January, 1880, sold it to his son, Harry H. Prettyman, who, in March, 1880, took in Henry Harris, of Michigan, as a partner. In August, 1880, Henry L. Hynson bought Prettyman's interest and it was published by Harris & Hynson until November, 1881, when H. L. Hynson became sole proprietor, by whom it is at present ably conducted. Its circulation and patronage is continually increasing, being a live and popular journal.

The *Milford Chronicle* was started October 1, 1878, by Julius E. Scott and Theodore Townsend. On January 1, 1881, Mr. Scott sold his interest to William P. Corsa, and it was published by them until 1883, when Wm. Corsa went out and R. H. Gilman, as a representative of the Democrat party, was taken into partnership. This plan did not work satisfactorily, and in 1886 Mr. Townsend purchased a controlling interest in it, since which time it has been independent in politics. The *Chronicle* is a live, progressive newspaper, and influential in the community where it circulates.

William P. Corsa was prominent in 1873 in stimulating the Delaware Fruit-Growers' Association, from which the fruit drying and evaporating business, which has so advanced Milford's prosperity, was greatly extended. Mr. Townsend was a traveling correspondent for New York and Philadelphia papers before he came to Milford. He has served four terms as member of the Council.

SMYRNA.

The *Delaware Star*, first issued in 1832, and continued but a short time, was the pioneer newspaper in Smyrna. Mr. Mitchell was its owner. Samuel L. Jones began the *Smyrna Telegraph* in 1849. It was a fair local paper, but was discontinued within two years from the time of starting. Abraham Poulson secured the presses and type, and for three years, beginning in March, 1851, was engaged in the publication, in the same town, of the *Delaware Herald*, a temperance paper. On March 22, 1854, he sold it to his son, Thomas L. Poulson, and Robert D. Hoffeecker. In July of the same year Mr. Hoffeecker purchased the interest of his partner and changed its name to the *Smyrna Times*. Thomas L. Poulson entered the ministry, and afterwards attained success in that profession.

The *Smyrna Times*, which has since continued, was the first permanently established newspaper in the

town. It grew in public favor, with Robert D. Hoffeecker as its editor and publisher, and its circulation increased. During the Civil War it was a strong defender of the Union cause, and ardently supported the administration of President Lincoln. In 1865 Joseph H. Hoffeecker, a brother of the former proprietor, purchased the *Times* and successfully conducted it until 1877, when, on account of impaired health, he retired. Robert D. Hoffeecker then returned to the journal which he founded, and has since been its proprietor.

The *Smyrna Record* was established by F. S. Phelps, June 30, 1883, as an eight-column folio. The motto of the founder was "Our town and county first—the world afterward." The paper, as an advocate of the principles of the Democratic party, soon secured a considerable circulation, and nine months after the first issue it was enlarged to a nine-column sheet, and its circulation extended. In May, 1886, the paper passed by sale from its founder into the hands of G. B. Taylor and H. D. Boyer, and under the editorship of the former has pursued the general policy mapped out by its founder. Mr. Boyer withdrew from the business management in the following September, and it has since been under the exclusive control of Mr. Taylor. With the first issue of 1887 it was changed to an eight-page, six-column paper of the standard size, presenting an excellent typographical appearance. The patronage of the paper has been excellent, being derived from a town of three thousand inhabitants, and a surrounding country thickly populated by citizens of more than average means and intelligence.

NEW CASTLE.

The *Gazette*, founded in 1836 by Enoch Camp, and the *Diamond State and Record*, established a few years later by George W. Mahan, were the first newspaper venture, in the town of New Castle. Neither one was continued more than a year or two.

The *New Castle Star* was founded by Joseph C. White, who still retains an interest. Samuel H. Black is associated with him.

NEWARK.

The *Saturday Visitor*, the pioneer newspaper in Newark, was first issued February 11, 1876, by J. H. Rowleson, who, after the sixth issue appeared, decided to call it the *Newark Record*. The centennial year had not quite ended when J. M. Armstrong, of New York, bought it. He sold out to Samuel D. McCartney, of Philadelphia, who preferred the name of *Ledger*. Scarce a year had gone by after the change, when L. Theodore Esling succeeded to its ownership. He continued it as the *Newark Ledger*, of which he was the editor and proprietor until his death, in January, 1881. It was suspended for three months, and the right and title were purchased by Major F. A. G. Handy, of Washington. His brother, Egbert G. Handy, was placed in charge, and four months later, changed

its name to the *Delaware Ledger*, its present name. Under this management it was published for two years, and then purchased by the present editors and proprietors, J. M. & L. K. Bowen, who came to Newark from Elkton, Md. They changed it from an independent to a Democratic newspaper, disposed of the old type and presses and refitted their printing-office. In 1835 they obtained a steam printing-press.

The *Delaware Good Templar* first appeared in April, 1861, as a four-page monthly, devoted to the interests of the Grand Lodge of Independent Order of Good Templars.

At the annual session of the Grand Lodge at Felton, on the 20th and 21st of October, of the same year, the *Good Templar* was adopted as its official organ.

In April, 1871, the sheet was enlarged to eight pages and a share of its columns appropriated to the W. C. T. U. of Delaware and its auxiliaries. This is the only paper published exclusively in the interest of temperance in the State. It is published at the *Ledger* office in Newark, and is edited by Fred. E. McKinsey.

MIDDLETOWN.

The first newspaper in the southern part of New Castle County was the *Middletown Transcript*, established January 4, 1868, by Henry & Wm. D. Vanderford. It continued a joint enterprise till March 21st of that year, when Henry Vanderford became the sole owner and editor. On January 1, 1870, Charles Hamilton Vanderford became the proprietor. He was sole owner till June 29, 1872, when he associated with himself Edward Reynolds, who, September 28th of the same year, purchased the entire interest. W. Scott Way, the next editor, bought the newspaper and took charge of the office November 1, 1877, and continued until June 27, 1885, when he sold out to John B. & Alexander L. Moreau, the present owners and editors.

On December 25, 1884, a job printing office was opened in Middletown, by C. J. Freeman and F. W. Reeve. In January following they decided to establish the *New Era* in connection with their job work. The first issue appeared January 29, 1885. The paper was conducted by them till May, 1886, when F. W. Reeve sold his half-interest to M. W. Weber, and since that time Freeman & Weber have been editors and proprietors.

SEAFORD.

In 1869 Donoho & Stevens founded the *Seaford Record*, at Seaford. It was neutral in politics. Mr. Stevens sold his interest to his son, who, with Mr. Donoho, continued to publish it, changing the name to the *Sussex Record*. In 1872 it was sold to a Mr. Kavano, of Maryland, who changed the name to the *Sussex Democrat*, and afterwards to the *Seaford Democrat*. The paper soon suspended.

In 1882 the *Seaford Enterprise* was established by Rev. C. W. Teasdale, and Charles D. Judson was placed in editorial charge. Mr. Teasdale sold out to

Samuel D. Gordon, who was proprietor one year, when the paper reverted to Mr. Teasdale, who next disposed of his interest to Ulysses S. Roop. The name was changed to the *Seaford Item*, but Mr. Teasdale again came into possession and removed the plant to Vienna, Maryland.

On the 3d of July, 1886, J. E. Griffenberg began the publication of the *Delaware Weekly Review* at Harrington, but at the end of seven weeks transferred the office to Seaford, where the *Review* has since been published. The first issue at Seaford bears date August 21, 1886. Mr. Griffenberg was editor and proprietor until February, 1887, when the ownership passed into the hands of *Review* Publishing Company, of which Mr. Griffenberg is managing editor. The paper is independent in politics, and has much patronage.

DELAWARE CITY.

On July 2, 1887, the *Delaware City News* made its first appearance. The paper is published by the News Publication Company and is edited and managed by Chas. W. B. Marshall.

LEWES.

The *Breakwater Light*, a seven-column folio, was first issued August 12, 1871, by its present editor and proprietor, Dr. I. H. D. Knowles. It is the only newspaper published in the town of Lewes, and is independent in politics.

HARRINGTON.

Joseph E. Horney and Robert Downs, July 7, 1883, established the *Harrington Enterprise*, a seven-column folio. It is conducted by B. Howard Johnson and is Democratic in politics.

LAUREL.

The *Laurel Gazette*, the only paper ever published in the town of Laurel, was established August 15, 1885, by Samuel D. Gordon and C. W. Kinney. On January 9, 1886, it was sold to the Laurel Publishing Company. Joseph F. Smith was made business manager and Samuel D. Gordon editor. October 12, 1887, Samuel D. Gordon purchased the entire interest and has since been editor and proprietor.

LITERARY MEN.—Delaware has not been unpropitious in the number of her sons who have made lasting names as workers in journalism and general literature. It is true that the majority of her native writers have achieved their renown outside the State in which they were born, but in each instance their training and work is in some manner connected with the soil and the institutions of their birth-place. Her journalism has been notably a training-school for professional newspaper men who have achieved distinction in broader fields, but who never forgot that they began their careers in the Diamond State and received there their most useful tuition and experience. The authors and journalists whose names have become famous make a goodly roll, and sketches of some of their lives and accomplishments are herewith appended:

Rev. Dr. Samuel Davies, a prominent Presbyterian divine and scholar, was born in New Castle County, November 8, 1723. His father, Davis Davies, a pious Welsh farmer, gave him a careful religious education and he was subsequently sent to Mr. Blair's school at Fogg's Manor. He was licensed to preach July 30, 1746, and ordained February 19, 1747. He officiated at various points in Hanover County, Virginia, where dissenters of the established Episcopal Church of that section, being objectionable to the civil authorities, his success led to a controversy between Dr. Davies and the King's attorney-general, as to whether the English act of toleration extended to Virginia, which question was subsequently decided in the affirmative. In 1753 Dr. Davies was sent with Gilbert Tennent to England to solicit aid for the College of New Jersey, in which labor he was successful, and preached with much acceptance in England and Scotland. He returned in February, 1755, and resumed his ministerial work. The same year the First Virginia Presbytery was established mainly through his efforts. On July 26, 1759, he succeeded Jonathan Edwards as president of New Jersey College. His sermons were published in London, in 1767, in five volumes, and ran through several editions in Great Britain and this country. Dr. Davies was an elegant preacher and also wrote poetry of considerable merit. He died in Princeton, N. J., February 4, 1761. His son, Col. William Davies, left New Jersey College in 1755, and entered the army as an officer, enjoying the esteem of General Washington. He was an efficient sub-inspector under Steuben in 1778. He was afterwards in the auditor's office, Richmond, and removed to Sussex County, where he died.

Rev. James Anderson, prominent among the clergy of New Castle in the early part of the eighteenth century, was born in Scotland November 17, 1678. He was the first Presbyterian minister of New York. He was ordained by the Irvine Presbytery November 17, 1708, with a view to his settlement in Virginia, but he located at New Castle, where he remained until October, 1717, when he took charge of a new church in New York City. He was installed in August, 1727, in Donegal, Pa., where he died July 16, 1740.

Isaac Collins, a prominent publisher, was born in Delaware, February 16, 1746, and died in Burlington, N. J., March 21, 1817. He acquired his trade as printer and removed to Philadelphia. In 1770, having been appointed printer to George III., he went to Burlington. In 1778 he removed to Trenton, and published the first quarto family Bible in this country. In 1796 he removed to New York, but returned to Burlington in 1808. He was for several years one of the governors of the New York Hospital, and several of his sons became prominent as New York booksellers and publishers.

Rev. James Patriot Wilson, D.D., a writer of considerable note, a lawyer and a divine, was born in Lewes, February 21, 1769. He was a graduate in

1788 of the University of Pennsylvania, which institution conferred on him the degree of D.D. in 1807. Dr. Wilson studied law, was admitted to the bar in 1790, and became distinguished in his profession. He afterward studied theology, and from 1806 to his death was pastor of the First Presbyterian Church. Among his contributions to literature were published "Lectures on the Parables and the Historical Parts of the New Testament," 8vo., 1810; "Introduction to Hebrew," 1812; "Essay on Grammar," 1817; "Common Objections to Christianity," 1829; "Hope of Immortality," 1829; "Primitive Government of Christian Churches," 1833, etc. Dr. Wilson died in Bucks County, Pa., December 10, 1830.

Dr. John M. Harvey, celebrated as a poet, was born in Sussex County March 9, 1789. He was the second son of Thomas Harvey, of Revolutionary fame. The family emigrated to Tennessee in 1791, and subsequently removed to Louisiana. Dr. John Harvey settled in Bardstown, Ky., where he died January 15, 1825. After the death of his wife, in 1818, he went to Europe, and, receiving a naval appointment, spent several years at Buenos Ayres. He then conducted a political paper at Savannah. Of his poems, "Chrysellina," a fairy tale, appeared in 1816. Other productions were published in the *Western Literary Journal*, and among them "Echo and the Lover" obtained a wide celebrity.

Elizabeth Margaret Chandler, celebrated in literature by reason of her poetical works, was born at Centre, near Wilmington, December 24, 1807. She was the daughter of Thomas Chandler, a Quaker farmer, and was educated at the Friends' school in Philadelphia. Her poetical talent developed early, and at eighteen years of age she wrote "The Slave Ship," which secured the prize offered by the *Casket* magazine. The majority of her subsequent productions were first published in a Philadelphia anti-slavery periodical called the *Genius of Universal Emancipation*. All of her poetical works, with a memoir by Benjamin Lundy, were published in Philadelphia in 1836. She removed to Tecumseh, Michigan, in 1830 and died November 22, 1834.

James Barton Longacre, the distinguished engraver, was a descendant of the early Swedish settlers on the Delaware. He was born in Delaware County, Pennsylvania, August 11, 1794. He served his apprenticeship as historical and portrait engraver with Murray of Philadelphia, and from 1819 to 1831 was engaged in illustrating some of the best works issuing from the American press. From 1834-39, with James Herring, of New York, he published four volumes of the "National Portrait Gallery of Distinguished Americans," which he afterward completed alone, many of the portraits being from Mr. Longacre's drawings from life. During the last quarter century of his life he was engraver at the United States Mint, and all the new coins issued during that period were made by Mr. Longacre from his original designs. He was commissioned by the Chilean government to

superintend the remodeling of the coinage of that country, and completed the task a year before his death, which occurred in Philadelphia January 1, 1869.

Rev. Morgan Edwards, A.M., a Welsh Baptist, became pastor of the First Baptist Church of Philadelphia in 1761, upon the recommendation of the celebrated John Gill, D.D., of London. He resigned this pastorate in 1771, and removed to Pencader Hundred, near Newark, Del., where he lived until his death, January 28, 1795. He was the founder of Brown University, in Rhode Island, and was a deeply learned scholar. He was the pioneer Baptist historian in this country, and traveled extensively in collecting what he called his "Materials toward a history of the Baptist Churches in all the colonies." It was to have been completed in twelve volumes. The first volume was issued in 1770, and treated of the churches in Pennsylvania. The next volume, which was upon the New Jersey Baptists, was issued in 1792. His history of the Rhode Island Baptists was published in 1867, by the Rhode Island Historical Society. Volume iii., which contains the history of the early Baptists in Delaware, was published in 1885, by the Pennsylvania Historical Society in its *Magazine*, and ran through two numbers, with an introduction by Hon. H. G. Jones. This volume is also published separately.

The most of Morgan Edwards' historical writing was doubtless performed during his twenty-four years' residence in Delaware. The original sheets of his "History of the Delaware Baptists," in possession of the American Baptist Historical Society, 1420 Chestnut Street, Phila., is like all his manuscript, a model of exactness and beauty.

Rev. Abel Moragan, a Baptist divine, born at Welsh Tract, Del., in 1713, was one of the ablest men of his day. He wrote some of the most important documents published by the Philadelphia Baptist Association. In 1742 he accepted the challenge from Rev. Samuel Finley, afterwards president of Princeton College, N. J., to discuss the baptismal question. After the discussion Mr. Finley wrote "A Charitable Plea for the Speechless," to which Mr. Morgan replied in his "Anti-Pædo-Baptism," or Mr. Finley's "Charitable Plea for the Speechless" examined and refuted; the "Baptism of Believers Maintained and the Mode of it by Immersion Vindicated," which was printed by Benjamin Franklin, in Philadelphia, in 1747, now sells for twelve dollars or more.

Philip Hughes, a noted Baptist minister of Delaware and Virginia, came to Wilmington about 1785, where he published a book on Baptism and another of Hymns, some of which were of his own composition.

Rev. David Jones, A.M., a chaplain in the American army during the Revolution, born in New Castle Co., Delaware, in 1736, and ancestor of Hon. H. G. Jones, of Philadelphia, was the author of several works. There was a journal of two visits made to

some of the Indian nations west of the Ohio River in 1772 and 1773, published in 1773, and reprinted in New York by J. Sabin in 1865; a treatise on "The Work of the Holy Spirit;" a treatise on "The Laying on of Hands," and another on the same subject in reply to Rev. Samuel Jones, D.D., and to Peter Edwards' "Candid Reasons Examined."

Gouverneur Emerson, M.D., was born in Kent County, Delaware. In 1818 and the two years succeeding he made a long voyage at sea as surgeon of a merchantman. He practiced medicine with success in Philadelphia. He possessed a decided literary taste, writing mostly on agricultural, medical and statistical subjects. He prepared a series of tables exhibiting the rate of mortality in Philadelphia and its causes during thirty years from 1807. Among his contributions to the literature of agriculture is the "Farmers' and Planters' Encyclopedia of Rural Affairs," an octavo of 1300 pages, replete with valuable information. He was the first to introduce Peruvian guano in the Atlantic States, and to recognize the great advantages of the phosphatic and other concentrated fertilizers, proving their good effects on his own extensive farms in Delaware. His last work was a translation from the French of De Play's remarkable treatise on "Organization of Labor." Dr. Emerson succeeded in making interesting everything he wrote. He was a member of the American Philosophical Society, the Academy of Natural Sciences, the United States Agricultural Society, the Philadelphia Horticultural Society, the United States Pomological Society and the Franklin Institute of Philadelphia. He died at his residence on Walnut Street, Philadelphia, in July, 1874.

Benjamin Ferris, of whom a sketch appears in the "History of Wilmington," wrote a "History of the original Settlements on the Delaware," a work of three hundred and twelve pages, containing a vast fund of interesting and valuable historical information, obtained by several years of diligent research. It was published, in 1846, by Wilson & Heald. Copies of the work are now very rare.

Hezekiah Niles was perhaps the most useful contribution Delaware ever made to the ranks of the journalists and historians of the United States. If it were ever attempted to collect the records of this nation for the middle period of the first half of the present century without the aid of *Niles' Register*, the work would be lamentably incomplete and unreliable. As an industrious, painstaking and accurate gatherer of the public events of his time he has never been surpassed in the field of journalism. He was born October 10, 1777, in Chester County, Pa., at a farmhouse near Jefferis' Ford, to which his parents had fled from Wilmington during the campaign in which occurred the battle of the Brandywine and the occupation of the city by the British. He was educated in Wilmington, and learned the art of printing as an apprentice. It is a tradition that before he had served his time he could set type faster and present a

cleaner proof than any other compositor in America. In 1800 he became the junior member of the firm of Bonsall & Niles, book publishers, at Wilmington, but they did not meet with financial success and Mr. Niles abandoned the composing stick and the printer's form for steady work with his pen. The firm was, in fact, wrecked on their re-publication of "The Political Writings of Governor John Dickinson," in which they invested a large amount of money, and failed to obtain any adequate return. Mr. Niles entered journalism as the author of humorous papers entitled "Quill-driving, by Geoffrey Thickneck" and edited a daily paper in Baltimore for a short time. On September 7, 1811, he began at Baltimore the publication of *Niles' Register*, a weekly paper in which was concisely and faithfully epitomized the live news of the time. He retired from the management of the *Register* on September 3, 1836, turning it over to the sole control of his son, William Ogden Niles, who had been associated with him since 1827. On September 2, 1837, the son removed his publication office to Washington and issued the weekly there under the name of *Niles' National Register*, but on May 4, 1839, it was returned to Baltimore. Hezekiah Niles had become disabled by paralysis and returned to Wilmington, as he said, "to die and be buried with his kindred." His death took place April 2, 1839, and on October 19th his widow sold the *Register* to Jeremiah Hughes who continued to publish it until February 26, 1848, when it ceased to exist. It was resumed in Philadelphia in July, 1849, under the charge of Charles Beatty, but it was not a success. William Ogden Niles died in Philadelphia, July 8, 1858. Hezekiah Niles also compiled a valuable work entitled "Principles and Acts of the Revolution." He was one of the most potent advocates of the American system of tariff protection to home industries, and his writings are still quoted. His labor was often performed in conjunction with his friend, Matthew Carey, of Philadelphia.

Dr. Cornelius G. Comegys, known to literature by his "History of Medicine," published in 1856, was born in Delaware and removed to Cincinnati, where he was Professor of Institutes of Medicine in Miami College. His father was Gov. Cornelius P. Comegys.

Dr. Thomas B. Wilson, the distinguished naturalist and scientist, who died at Newark, March 15, 1865, was born in Philadelphia January 17, 1807. He was educated at the Friends' School in Philadelphia and in England. In 1822 he studied pharmacy, and after devoting several years to it applied himself to geology. In 1828 he adopted medicine as a profession and after graduating, in 1830, went to Paris and continued his studies, taking up also zoology, botany and geology. He afterward attended a medical course in Dublin, and returned home, and, owing to failing health, soon applied himself to botany and ornithology as a means of relaxation and recuperation. In 1832 he removed to Chester County and remained there with his brother several years and subsequently bought a farm in that section. He devoted himself assiduously to

natural sciences, and secured at home and abroad the valuable collections of plants, birds, insects, etc., which make him justly celebrated and famous. In 1841 he removed with his brother to Newark, where he settled permanently, continuing his scientific researches and contributed both time and money to them. He was one of the principal benefactors of the Academy of Natural Sciences of Philadelphia and of the Entomological Society of the same city, and was chiefly instrumental in providing their collections, library and buildings. His contribution of birds to the Academy of Natural Sciences aggregated twenty-eight thousand specimens, nearly all of which were mounted. He also donated extensive collections of minerals and fossils to the same institution. Of the fifty thousand insects in the Entomological Society, the majority were donations from Dr. Wilson. He also contributed largely to the Episcopal Church building in Newark. Dr. Wilson's remains were taken to Philadelphia for interment and his funeral was attended by some of the leading scientists of this country. He was one of the most prominent naturalists of his day, laboring zealously to advance the peculiar branches in which he was so deeply interested and expending liberally of his ample means in prosecuting the work and assisting the institutions founded to perpetuate its results.

Rev. Richard B. Cook, D.D., pastor of the Second Baptist Church, Wilmington, is the author of the following works: "The Early and Later Baptists," being a history of the Baptists of Delaware from 1703 to 1880, of 156 pages, illustrated, and which reached a circulation of 1000, and is published by the American Baptist Publication Society, Philadelphia; "The Story of the Baptists," being a popular general history of the Baptists, of 450 pages, with over 100 illustrations, and which, in three years, has reached a circulation of 20,000 copies.

Besides, Dr. Cook is author of smaller productions, such as "Baptist Leadership in Education;" "History of the Second Baptist Church, Wilmington, for the first fifty years of its existence;" "History of the Baptists in Delaware;" in the "Encyclopedia of Delaware," and several sketches in Dr. Cathcart's "Baptist Encyclopedia."

Rev. Alfred Lee, D.D., late bishop of Delaware, and formerly rector of St. Andrew's Church, Wilmington, was born in Cambridge, Massachusetts, September 9, 1807. He studied law and practiced in Norwich, 1831-33. In the latter year he entered the General Theological Seminary in New York, and was ordained deacon in June, 1837, and priest a year later. From September, 1838, to September, 1841, he was pastor of Calvary Church, Rockdale, Pennsylvania, and on October 12, 1841, was consecrated bishop of Delaware. Bishop Lee wrote a "Life of the Apostle Peter," in 1852; "Life of St. John," and "Treatise on Baptism," 1854; "Memoir of Miss Susan Allibone," 8vo., 1856; and "The Harbinger of Christ," 12mo., 1857. He died in April, 1887.

Isaac Lea, LL.D., the distinguished author and naturalist, was born in Wilmington, March 4, 1792, of Quaker ancestry. At the age of fifteen years he was placed under the care of an elder brother in Philadelphia and devoted his leisure to the collection and study of fossils and minerals. In 1815 he became a member of the Philadelphia Academy of Sciences, and soon after published his first paper in the journal of the academy, describing the minerals in the neighborhood of Philadelphia. He married a daughter of Matthew Carey, and from 1821 to 1851 was associated with Mr. Carey in the publishing business. In 1827, Mr. Lea began a series of memoirs on new forms of fresh water and land-shells, which were continued for many years. In 1832 he visited Europe and the following year published "Contributions to Geology," describing two hundred and twenty-eight species of tertiary fossils from Alabama. In December, 1858, he was elected president of the Philadelphia Academy of Natural Sciences and was a member of many scientific organizations of America and Europe. He also published, in 1851, "Description of a new genus of the family of Melaniana," and in 1852, "Fossil footmarks in the red sandstones of Pottsville," and "Synopsis of the family of Naiades." Allibone contains a list of fifty-five of Dr. Lea's publications.

George Alfred Townsend, the active newspaper writer and author, was born on Market Street between Front and the Court-House Square, Georgetown, Del., January 30, 1841. He was the son of Rev. Stephen and Mary Milbourne Townsend, who were of one of the earliest peninsula families, which probably came from Virginia to Somerset and Worcester Counties, Md., early in the seventeenth century. One of Sir Walter Raleigh's "Adventurers" for Virginia in 1620, as set down in Captain John Smith's history, was "Leonard Townson," and the shipping lists to Jamestown of about the same date mention John and Richard Townsend as having embarked.

Rev. Stephen Townsend was born in what is called the Forest, between Princess Anne and Snow Hill, in 1808. He turned from the carpenter's business to become a Methodist minister, and filled the pastoral relation in almost every county of the whole peninsula, dying in Philadelphia, August, 1881. He graduated in medicine at the age of forty-eight and also earned the degree of Doctor of Philosophy as a student in the Pennsylvania University at the age of seventy. His wife died in 1868, aged sixty-six. She was a woman of strong will and great local acumen. They are interred at South Laurel Hill Cemetery, Philadelphia, in Mr. Townsend's lot, where is also an inscription commemorative of Dr. Stephen Emory Townsend, their oldest son, killed in the Nicaraguan War, 1856. The third and youngest child,—all sons,—Dr. Ralph Milbourne Townsend, married Ida Hollingsworth, of Wilmington, Delaware, daughter of the

eminent ship-builder, and lies interred in the Hollingsworth vault, Brandywine Cemetery.

George Alfred Townsend moved with his itinerating minister father till he was fourteen years old, and attended the academic departments of Washington College, Chestertown, Md., and of Delaware College, Newark. After 1855 the homestead was in Philadelphia, his mother ceasing to travel, and Mr. Townsend graduated at the Philadelphia High School in February, 1860, and went upon the daily newspaper press next day.

At the school he had published and written for newspapers, and he commenced to compose in prose and verse at the age of fourteen. The local coloring of the Delaware peninsula affected his work for years, and in 1880 he collected "Tales of the Chesapeake" which contains the Delaware tales of "The Ticking Stone" and "The Big Idiot," the latter a painstaking picture of old New Castle in the time of the Dutch, the former a psychological tale of the White Clay Creek country. In the same book is the long colonial poem "Herman of Bohemia Manor."

Much earlier than this Mr. Townsend had written "Swedes and Finns," "John Dickinson," "Arnold Naudain," and other Delaware ballads.

In 1869 he delivered the college poem at Delaware College, showing an accurate recollection of the minutest scenes and characters there, though he had been but ten years old when at Newark Academy. In 1880 he visited General Torbert and the venerable Mrs. Richards at Georgetown,—the latter present at his birth,—and recited the Fourth of July ballad "Cæsar Rodney's Ride." In 1884 Mr. Townsend wrote the historical novel with the quaint title of "The Entailed Hat, or Patty Cannon's times," a work of great imagination and historical construction, every locality of which was visited to insure freshness in the picturing; it is the topographical and antiquarian romance of this peninsula, the vivid characters being passed through Seaford, Laurel, Georgetown, Lewes, the great Cypress Swamp, Dagsborough, Rehoboth Beach, Dover and Wilmington. The subject of the story is the kidnappers, who stole free people of color out of Delaware as long as slavery had a legal and commercial existence, and it contains sketches of John M. Clayton, Jonathan Hunn and Thomas Garrett.

Literature has been the industrious by-play of Mr. Townsend's comprehensive newspaper life of nearly thirty years, in which he has been engaged by every journal and publication of means and enterprise in the land. Commencing in the *Philadelphia Inquirer* and the *Press*, he was the first to rehabilitate local reporting and editing in the Quaker City. At the breaking out of the Civil War he became the youngest and most cultivated of the war correspondents, first for the New York *Herald* and afterward for the New York *World*. In the latter paper his battle of Five Forks, closing scenes about Richmond, and letters on President Lincoln's murder, created such a furor that he was called to lecture all

over the country; and has lectured at intervals ever since and delivered public addresses before the Army of the Potomac Society, Dickinson College and many other institutions. For almost twenty years he reinvested his earnings in foreign and home travel, books and experience, until he settled down in New York, at the age of thirty-nine, master of every department of his craft, from political and physical correspondence to *belle lettres*. He has made six voyages to Europe, reported the war of 1866 between Prussia and Austria, has crossed the American continent and British America three times and visited every State and Territory in the Union, and the West Indies. In 1862 he was writing for the *Cornhill Magazine*, and other publications in London. Nearly every great public event in American recent history has passed under his eye. For the past eighteen years his newspaper engagements have mainly been in the great West, where his pseudonym of "Gath" is better known than George Alfred Townsend.

In 1886, Mr. Townsend published a sequel to the "Entailed Hat," called "Katy of Catoctin, or the Chain-breakers," a story of the John Brown raid and of the Civil War, located in the South Mountain country of Maryland, where he has built his country-house and ultimate family-seat, called "Gapland." It stands on the old battle-ground of Crampton's Gap, and consists of large and picturesque stone buildings, at an elevation of one thousand feet above the neighboring Potomac River and valleys.

Mr. Townsend has published several other volumes, as "Campaigns of a Non-Combatant," 1865; "The New World Compared with the Old," 1869, 750 pages; Poems, 1870; "Lost Abroad," a story, 1871; "Washington Outside and Inside," 1873; "Bohemian Days," tales, 1881; "Poetical Addresses," 1883; "President Cromwell," an historical drama, 1885. He has nearly ready to issue, "Tales at Gapland," and "Dr. Priestley, or the Federalists," a novel. No journalist in the country disconnected from proprietary ownership in the journals has been as generally employed, as well rewarded or has occupied so many fields. The qualities of his writings are their informing power, breadth and fertility of treatment, boldness of depiction, temerity in the face of clamor, sympathy for the beaten and poetical quality. His newspaper work is nearly all dictated to shorthand writers, and he has been known to prepare twelve thousand words of copy for the press in one day.

Mr. Townsend married, in 1865, Miss Rhodes, of Philadelphia, and has two children and two grandchildren, while himself still under forty-seven years of age.

Felix O. C. Darley, the artist, who resides at Claymont, Delaware, was born June 23, 1822. At an early age he was placed by his parents in a mercantile establishment, where he devoted his leisure to drawing, and, receiving from the publisher of the *Saturday Museum* a handsome sum for a few designs,

he applied himself wholly to that pursuit. For several years he was employed by large publishing houses in Philadelphia, and soon acquired a distinguished reputation. The series published in the "Library of Humorous American Works" was very popular in the Southern and Western States. In 1848 he removed to New York, where he illustrated "The Sketch Book," "Knickerbocker," etc. He had previously made a series of designs in outline from Judd's novel of "Margaret," which were published in 1856.

The committee of the American Art Union commissioned him to illustrate in similar style Irving's "Rip Van Winkle" and his "Legend of Sleepy Hollow," both of which are highly creditable productions. Offers were made to him to settle in London, which he declined. He has also been engaged in the preparation of vignettes for bank-notes, and in illustrating Cooper's works; has executed the "Massacre at Wyoming," and four other Revolutionary pieces of merit, and has contributed designs to Irving's "Life of Washington," Dickens' and Sims' novels. Another of his works is an illustration of the wedding procession in Longfellow's poems of "The Courtship of Miles Standish." For Prince Napoleon, when in New York, he executed four drawings illustrative of American life—"The Unwilling Laborer," "Repose," "The Blacksmith's Shop" and "Emigrants attacked by the Indians." Among his pictures of the late Civil War are "Giving Comfort to the Enemy" and "Dahlgren's Charge at Fredericksburg." He married the daughter of Warren Colburn.

Henry Lea Tatnall, justly called the "Father of Wilmington Art," was born in Brandywine Village, Del., in the old historic Tatnall mansion, December 31, 1829. He was of the fifth generation in direct line of descent from Robert Tatnall, of Leicestershire, England, who died in his native land in 1715. The widow, with her five children, emigrated to Pennsylvania in 1725. Edward Tatnall, the youngest of these children, was married, in 1735, to Elizabeth Pennock, in Friends' Meeting, at London Grove, Chester County, removing to Wilmington as their future home. Joseph Tatnall was the third of five children by this marriage, and the grandfather of Henry Lea Tatnall, and the first of the name to engage in the milling business on the Brandywine at Wilmington, being also the first president of the Bank of Delaware. He was married, in 1765, to Elizabeth Lea. Edward Tatnall, the sixth of their seven children, was born in 1782, and married, in 1809, to Margery Paxson; and the subject of this sketch was the eleventh of twelve children by this marriage.

Being of Quaker parentage, he was educated according to the custom of Friends at Westtown Boarding-School, in Chester County, an institution exclusively their own, receiving a plain but thorough and substantial education, as Friends deemed it not only inexpedient but unnecessary to



J. H. Taylor



A. S. Pataullo

give their children anything beyond that, trusting very properly to the home training and influence to further develop mental and moral culture. After leaving school he entered the celebrated flour-mills of Tatnall & Lea as clerk, where he remained but a few months, on account of the dust giving him asthma. It was there he accidentally picked up an old violin, belonging to a colored man employed in the mill, and played two or three tunes upon it, without ever having received any instructions, or being aware himself that he could do so. This was the first intimation of the hidden talent which was destined to perform such an important part, later in life. He was of a very inquisitive turn of mind, determined always to know the whys and wherefores of everything. His spare moments in early life were not idly spent. It was one of his pastimes to frequent the shipyards, opposite the mills on the Brandywine, where, with his knife, he would sit and chisel model after model. He made a perfect model of a ship, rigging it out correctly, and even manned it with little wooden sailors, which is in possession of his family at the present time.

Leaving the mill, he turned his attention to farming, and took great pleasure in agricultural pursuits. In 1851 he married Caroline Gibbons, daughter of Doctor William and Rebecca Donaldson Gibbons, and the youngest of fourteen children. In 1856 they left the country and moved to Wilmington, residing for a few years on West Street, where they purchased the old Gibbons mansion, and the square upon which it stood, known as "Vernon Place." At the time the house was built there were but two others between it and Market Street, and it commanded an uninterrupted view of the Delaware River from New Castle to Edgemoor. Mr. Tatnall engaged in the lumber business successfully for some years, identifying himself with the business interests of the city. Socially, he was most genial, bright and hospitable. His individuality was most pronounced, and his attachments strong and lasting. His good fellowship was ever apparent and the enthusiasm, frankness and openness of his nature, with his entertaining originality in conversation, made him a welcome guest everywhere, and drew about him a large circle of warm friends. He cultivated his musical talent, which showed itself in early life, entirely himself, never having taken a lesson, and became a most proficient performer on the violin, accompanying his children, upon whom he bestowed a liberal musical education upon the piano, organ and other instruments, realizing the safeguard he was throwing around them, by leaving no stone unturned to make the home the most attractive spot on earth to them. Besides this, he published many original compositions, and set to music several campaign songs. His celebrated "Rail Splitter's Polka," composed for the Lincoln campaign, was played by all the bands of the North at that time. His residence at that period was opposite the United States Hos-

pital Tilton, and it was always thrown open with its grounds to the sick and wounded soldiers, while many a poor home-sick fellow's heart was cheered by his hospitality and the sweet tones from his violin.

When about forty years of age he had the opportunity of seeing Philadelphia's noted artist, Hamilton, at work on a marine view in his studio, and was struck with the magical effects produced by his brush. His criticisms of the artist's work were so intelligent that his friends encouraged him to try painting himself, which he did. Mr. Tatnall's own story of his first attempt was a strange one. Mr. George Hetzel, Pittsburg's celebrated landscape artist, was in Wilmington, at work in Rudolph's Gallery, then newly opened. Being there one day when Mr. Hetzel was absent, Mr. Rudolph playfully bantered Mr. Tatnall to compete with him in painting a picture. Mr. Tatnall demurred, saying, he knew nothing about painting, but was persuaded to try his hand. Two easels, with paints, brushes and canvas, were at hand, and each sitting down in the same sportive spirit in which the contest was projected, the work commenced. Soon after they started, Mr. Rudolph was called away, leaving Mr. Tatnall alone in the gallery. Mr. Tatnall averred he had no distinct recollection of what followed, until he seemed to awake as from a dream or trance, and found upon his easel a complete painting, a river scene with vessels under sail, and was conscious of his friend standing behind him, admiring his picture, and acknowledging himself out of the race. It was soon manifest that he had a decided genius for that branch of the fine arts, and his friends induced him to fit up a studio over his counting-house, where the intervals of business were devoted to applying himself to the study of the principles and the practice of marine and landscape painting.

His success was rapid and extraordinary, and in a few years his orders were so numerous that he turned the lumber business over to his sons and opened a studio in more commodious quarters and devoted the remainder of his life to his adopted profession. At the time of the formation of the "Delaware Artists' Association" he was elected president, unanimously. This was a faithful recognition of his talent and his services, and an assurance that around his name clustered all that exists of the earlier art aspirations of Wilmington and of Delaware, and naturally entitles him to be called the father of art in his native city and State. He has well earned the title, and it will descend to posterity, adding new laurels to a family name already shown prominence in Delaware. He was an earnest student of nature, spending the summer and autumnal months in the woods beside the murmuring brooks, watching all the varying aspects they presented under light and shadow, in sunshine and in storm. Along his beloved Brandywine, on Shellpot Creek, and at Kiamensi, and also Mt. Desert, he found beautiful landscapes, which were transferred to his canvas with great fidelity of

drawing and perspective and truthfulness of color. When asked one day how he could account for his being able to paint such pictures without ever having taken even a lesson in drawing, he replied, "I cannot answer you, except by saying, I do not do it myself—it is an inspiration." "Do you understand mixing colors, and know just what you want?" "I know nothing about them; my hand goes right to the one the picture calls for." He was ingenious in mechanics—his easel, palette, painting-box and other paraphernalia for out-door work were marvelous contrivances, affording facilities for work not obtainable by most of the painters' outfits of the present day. He died at the age of fifty-six years, just as he was taking high rank in the list of American painters, and when the highest honors of his profession seemed within his grasp. In addition to all his other attainments, he was also a natural born architect, having draughted several of the finest residences in Wilmington for his numerous friends. But his busy, useful life is ended here on earth, being crowned with the assurance left, that in another sphere of existence he will attain to an immeasurably higher, broader and grander realization of the aspirations of his inmost soul than ever could have been reached in this earthly life.

CHAPTER XXIV.

MEDICINE AND MEDICAL MEN.¹

To attempt now to trace the precise condition of medical science in the State of Delaware during the first hundred years of its history would be a fruitless task, as we have no records bearing upon the subject. It may be assumed, however, that pioneer physicians skilled in their profession who first came here were supplied with all the medical and surgical appliances known to England, Holland and Sweden at that time. An enlightened knowledge of medicine began to develop in Great Britain when the seventeenth century opened, and its fruits were shown among the most progressive of the early settlers on this side of the Atlantic. But there was a large number of the early medical men on this Peninsula who never had the opportunity of acquiring any more knowledge of their profession than was obtained from their preceptors, many of whom were comparatively, speaking, "blind leaders of the blind."

We know from what has been handed down by tradition that the faith in the curative powers of the decoctions of some venerable grandmother, were held by many to be superior to the remedies which an educated physician could pro-

vide. The fifteenth and the sixteenth centuries had given to the people some good medical works, but there were others made up of absurdities, and the latter were readily adopted by the ignorant. In Egypt, where the healing art was first cultivated, and among the Jews under Moses, the office of priest and physician were often combined in the same person, and such was the case to some extent among the early settlers on the Delaware. The pioneers brought a few medicinal herbs with them, and they were propagated in their gardens. The early settlers were familiar with the virtues and properties of these. The native plants which the American Indians applied in the curing of disease were also used. It was part of the duty of the housewife to store away each year a quantity of hore-



A DOCTOR IN THE OLDEN TIMES.

hound, boneset, pennyroyal, sassafras and well-known herbs. In every settlement there was some elderly matron of skill and experience in midwifery who attended cases of obstetrics. She was also familiar with the properties of medicinal herbs then in use and applied them in administering to the wants of the sick. When a wound was received, or a bone broken, there was often no surgeon available, and the wound was doubtless treated by unskilled hands, and left to the cool water of the brook or spring to allay the pain and inflammation; the broken bone was placed at rest in the least painful position to the sufferer, and then left to nature to cure. The few scattered skilled physicians on their arrival in this State encountered great difficulties and inconveniences in administering to the wants of the sick. There were few roads through the forests between the settlements, and no bridges across the streams. In many places the trail of the Indian was the only route for them through the wilderness, and their mode of travel was invariably on horseback. But withal, there were a number of educated men who came over and settled in Delaware, or who came here from New England. These were men whose culture was acknowledged by the better class of the people, and who gradually spread the influence of their skill and science by transmission to others, and thus laid the foundation for a more healthy and rational treatment of disease.

¹ By Lewis P. Bush, A.M., M.D.

EARLY PHYSICIANS. — Dr. Tyman Stidham was doubtless the pioneer physician within the territory now embraced in the State of Delaware. He was born in Sweden and seems to have come here with Governor Risingh, sailing from Gotenberg February 2, 1654. The vessel in which he arrived, with other emigrants, landed at Fort Casimir (now New Castle) May 21, 1654. Dr. Stidham afterwards settled at Fort Christina, now known as "The Rocks," within the present limits of Wilmington. When the Swedish rule on the Delaware was overthrown by the Dutch, in 1655, he, with others, took the oath of allegiance to the government of the New Netherlands. He acquired a large tract of land under Dutch patents which were confirmed by Governor Francis Lovelace, May 23, 1671, and a portion of Wilmington occupies the site of the original grant.

Dr. Stidham made affidavit, January 4, 1656, of the cure of some soldiers, under Captain Smetz, at Fort Christina. On February 20, 1662, William Beekman, vice-director of the West India Company, wrote from Christina that Jacob De Commer, the city surgeon, sent here from Amsterdam, Holland, had been discharged. He recommended the appointment of Tyman Stidham to the position. In a letter dated September 14, 1662, Beekman mentions him as Tyman Stidham, the surgeon. During the progress of a court trial in the fort, April 7, 1663, the record mentions the fact that "Tyman Stidham was called to bleed a man." Dr. Stidham died in 1686. He was twice married, and had several children, whose descendants are in Delaware and other States.¹

Dr. John Rhoads was an early settler at Horekill, in what is now Sussex County. On November 28, 1673, he was appointed a magistrate, and the following year was murdered by the Indians.

Thomas Spry was a physician and an attorney among the early emigrants to the lower part of New Castle County. Some of the old records designate "Doctor Swamp" and "Doctor Creek" as certain tracts of lands owned by him.² Spry's name appears on many petitions for roads and other legal records until the time of his death, in 1685.

Dr. John Des Jardins practiced medicine in what is now Kent County as early as May 15, 1675, and on that day received a patent for a tract of land on St. Jones' Creek, previously belonging to Dr. Wholebat. He died in November, 1678.

¹ Jonas Stidham, a descendant, married Mary Colebury. Their son was Isaac Stidham, M.D., who was born July 18, 1762.

² I. Cloud Elliott, of Wilmington, has in his possession Dr. Stidham's surgical case, on which is neatly inscribed the name and title of the original owner.

³ Justice John Moll, July 12, 1677, complained that Dr. Spry had without provocation, struck him with a cane. The latter apologized in open court, and was fined two hundred guilders, which Justice Moll gave to the church. On May 4, 1680, Dr. Spry presented a bill of two hundred guilders for curing the leg of Evert Brake, a poor man, and was given one hundred guilders and a cow.

James Crawford, who is called a doctor on the early assessment rolls, succeeded him.

Dr. Smith resided on a tract of land which he bought near Horekill in 1676.

Hans Peterson practiced medicine in New Castle County in 1676, and during that year Maurice Powell petitioned the court to be relieved from paying Peterson a doctor's bill of one year's standing on the plea that from the treatment administered he had lost the use of "his body, so that he could not support his wife and family." Peterson testified in his own behalf that the maltreatment was the result of a mistake. He was ordered to pay the costs of the suit and one hundred and fifty guilders damages.

Dr. Daniel Wills came to New Castle, October 5, 1677, in the ship "Marther" from Hull, England.

Dr. Thomas Wynne, a member of the first General Assembly of Pennsylvania of 1683, from Philadelphia, and became its first Speaker. He was a Quaker, and, before he came over with William Penn, had followed his profession in the city of London. He took an active part in politics, and became a resident at Lewes in 1685.

Dr. Charles Haynes, of Lewes, in 1695, was "bound over to keep the peace for using his lance to cut an arm without cause." He died in 1708.

Dr. John Stewart was sheriff of New Castle County in 1702.

Dr. Peter Clowes settled in Broadkill Hundred and was in practice there before 1735. In 1743 he was elected sheriff of Sussex County. He is not known to have left any descendants. The farm upon which he resided is now owned by Jesse E. Dodd.

Dr. Cheetwod practiced in St. George's Hundred in 1746; Dr. Reese Jones, of Christiana Bridge, died prior to 1756; Drs. Matthew McKinney, David Thomas and David Thompson during the Revolution were in Red Lion Hundred.

The following members of the Delaware regiment in the Revolutionary War were then or subsequently known as practicing physicians: Joseph Hall, Charles Ridgely, Matthew Wilson, J. Augustus Jackson, James Jones, John Miller, David Stewart, William Molleston, Thomas Macdonough, Thomas Nixon, Nicholas Way and James Rench.

Dr. Samuel Platt lived in Newark in 1772; Dr. Nathaniel Silsbee in St. George's in 1779; Dr. Robert Baynes in Mill Creek Hundred, on "the Limestone Road," in 1780. The last-named died in 1804, as did also Dr. Kithcart. Drs. Nathan Thomas and William Carpenter were in St. George's in 1797, and Henry Merritt and Henry Peterson in 1804 and Drs. John Kern and John Finney in Christiana in 1798. The latter lived in New Castle in 1758.

Dr. Nathan Thomas, April 14, 1797, inoc-

ulated four persons at Port Penn ; and seven days thereafter Fanny Riddle, one of them, was ill with the " fever of the small-pox." Her three brothers, Cornelius, Daniel and James, developed the same disease on the following day.

Dr. Robert Wiltbank was an early physician at Millboro', and died there while a member of the Legislature. Dr. William Murray lived in North East Fork Hundred in 1764, and Dr. John Derickson at St. Johnstown in 1796, and twenty years later, in 1816, Dr. Joseph Sudler, father of Dr. William Sudler, now of Bridgeville was a prominent physician. Dr. Simon K. Wilson practiced at Dagsboro', in 1825. Dr. Joseph Maull, in 1809, practiced at Broad Kill. He was the father of Dr. George Maull, who graduated in medicine in 1831. Dr. John White died at Lewes in 1829, aged fifty-four years. He practiced there a quarter of a century. Dr. Samuel A. Hall, a native of Baltimore Hundred, studied medicine with Dr. Jacob Wolfe, of Lewes, and in 1800 settled in his native place and practiced until 1853, when he died.

Dr. Henry Fisher was probably the first physician of eminence in the territory now known as Delaware. He came to this country from Waterford, Ireland, in 1725, and the vessel in which he was a passenger anchoring in the roads of Lewes, he, with several other gentlemen, went ashore for recreation. Dr. Fisher was so much pleased with the town and its surroundings that he concluded to locate there and accordingly sent for his wife to come over. The latter soon reached New Castle and journeyed thence to Lewes on horseback. Dr. Fisher obtained at once an extensive and lucrative practice and was frequently called over into Kent County, Maryland, for consultation in serious cases. He stood unrivaled in his profession and was the only regularly educated medical practitioner in Sussex during his life. Dr. Fisher repeatedly declined tempting offers, brought to him through his wide reputation, to go to Philadelphia, and remained at his home in Lewes. His residence was patterned after the English country-seats, and from its elegant construction and beauty his neighbors called it "a paradise." Dr. Fisher died in 1748, leaving a widow, two daughters and a son. The latter, Henry Fisher, was afterwards a prominent citizen and rendered valuable service to the merchants of Philadelphia. He was also an important aid to the government during the Revolutionary War, using his pilot and whale-boats as a medium of obtaining information which proved of inestimable value to the Continental forces.

The Delaware State Medical Society is one of the oldest institutions of the kind in this country, being probably antedated only by the Massachusetts and the New Jersey Medical Societies. It

was incorporated in the year 1789, February 3d, by the Legislature of Delaware, on behalf of the following corporators, resident physicians of the State—viz: John McKinly, Nicholas Way, Jonas Preston, Ebenezer Smith, George Monro, Thomas Macdonough, Joshua Clayton, Ezekiel Needham, James Tilton, William Molleston, Edward Miller, James Sykes, Nathaniel Luff, Robert Cook, Matthew Wilson, Joseph Hall, John Marsh, John Polk, John Stephens Hill, Julius Augustus Jackson, William McMechen, Henry Latimer, James McCallmont, Joseph Capelle, Archibald Alexander, Henry Peterson and Levarius Hooker Lee. The name and title of the society as conferred by the Legislature was, and still is, "The President and Fellows of the Medical Society of Delaware," and its powers were such as are usually granted to such corporations.

In pursuance of the act of Assembly, the first meeting of the society was held at Dover, May 12, 1789. It was called to order by Dr. James Tilton, who was unanimously elected chairman *pro tem.*, and Dr. Edward Miller was chosen secretary. A committee consisting of Drs. Preston and Miller was appointed to prepare a draft of a constitution. The committee reported in the evening, and the constitution was ratified, after which the following were elected officers of the society for the ensuing year: President, James Tilton, M.D.; Vice-President, Jonas Preston, M.D.; Secretary, Edward Miller, M.D.; Treasurer, James Sykes; Censors, Nicholas Way, M.D., Matthew Wilson, M.D., D.D., Joshua Clayton, Nathaniel Luff.

In May, 1790, Dr. Edward Miller delivered at Dover the first anniversary oration of the society, which early showed its public spirit by raising a fund for the presentation of a premium upon some subject of general medical or hygienic interest.¹

The first subject proposed and adopted was "What is the origin and nature of the noxious power which especially prevails in hot and moist climates during summer and autumn, and produces intermittent and remittent fevers, and certain other diseases; and by what means may this insalubrity of climate be corrected, and the diseases thence arising be most successfully prevented and treated?" A "program" containing the conditions to be observed by the competitors, whether in the United States or elsewhere, was published in English and Latin, and it concluded as follows:

"The interesting nature of this question must appear on the most cursory observation. A large portion of the earth, and especially those countries which otherwise enjoy the richest blessings of nature, are, from this cause, annually subject to sick-

¹ In December, 1791, the society received from John Dickinson, Esq., a letter with an enclosure of £33 3s. 4d. to furnish that object, and in the following year a further contribution for the same purpose.

ness and depopulation. And it may be safely affirmed, that of all the sources of disease incident to mankind, this is one of the most extensive, malignant and fatal.

"A successful investigation of the origin and nature of this morbid principle would greatly enlarge the boundaries of science, and advance the comfort and happiness of society, and whoever shall discover a certain and easy method of correcting its virulent effects, while he renders a splendid service to medical philosophy, will have a just claim to the applause of his contemporaries, and to the gratitude of posterity.

"The society acknowledges and laments the obscurity which involves this question, trusting, however, that this objection, though formidable at first view, will deter no person from inquiry so pregnant with importance, ability and reputation. The obscurity, how great so ever it may be admitted to be, implies not any absolute inscrutability.

"At the same time that the society deprecates the censure of the learned world for the indulgence of expectation, which eventually may prove to have been over-sanguine, it still hopes that the discovery now contemplated is within the reach of the human mind, assisted by the enlightened views of modern science, and animated by the enterprise and ardor which distinguish the present inquisitive and philosophic age."

It was a most creditable step on the part of the society to propose a prize dissertation on this obscure subject; and it does not derogate from the scientific character of its Fellows, that the paper or papers presented were, after a critical analysis, decided to fail of successful competition, on account chiefly, as stated by the committee, "of the assumption of many facts without evidence, the want of experimental inquiry and the defect of all original discovery."

At various meetings, either on their introduction as members, or subsequently, the following were among the subjects on which papers were presented by the members: Dr. Snow on "Ophthalmia;" Dr. Barrett on "The Influenza;" Dr. Capelle on "The Tænia in the bowels of rats;" Dr. Tilton on "Cholera Infantum;" Dr. Theo. Wilson on "Phthisis Pulmonalis;" Dr. David Bush on "Small-pox;" on an "Epidemic of Bilious Colic in Dover," on a case of "Typhus Fever," on a case of "Hydrocephalus Internus successfully treated by mercury," on "Cholera Infantum," on "Succedanea for Peruvian Bark;" all by Dr. Edward Miller.

It is recorded in the minutes of one of the meetings in 1795 that a printed communication was received from Dr. Samuel L. Mitchell, Fellow of the Royal Society of Edinburgh, and Professor of Chemistry, Natural History and Agriculture in

the College of New York, entitled, "Remarks on the gaseous oxide of azote, or nitrogen, when generated in the stomach, inhaled into the lungs, or applied to the skin; being an attempt to ascertain the true nature of contagion, and to explain thereupon the phenomena of fever." At the same meeting a paper was presented by Dr. Edward Miller, entitled, "A cursory view of the question whether the noxious power producing intermittent and remittent fever originates from a deficiency of oxygen gas, or the generation of a positive poisonous gas in certain insalutary portions of the atmosphere."

In 1791 Dr. James Sykes delivered by appointment the anniversary oration; in 1793 Dr. David Bush fulfilled the same appointment; in 1793 Dr. Laws; Dr. Allen McLane in 1812; and in the same year a paper was presented by Dr. Harris "on the final cause of the diseases, death and dissolution of the human body." In 1823 Dr. McLane was appointed to deliver a eulogy on the life and character of Dr. James Tilton, which, with the oration of Dr. Wm. D. Brincklé on Medical Education, was published by the society; and in 1824, Dr. J. F. Vaughan read a memoir on the life of Dr. James Sykes, which was also printed. These are but a few of the deliverances before the society in its earlier history.

The original charter of this society only contemplated an association for the promotion of the unanimity and scientific and practical advancement of the profession of medicine in the State. But at the instance of the Society, the Legislature, in the years 1819, '20, '21, '22 and '35, conferred upon the society the authority to appoint annually a body from their own number, to be called the "*Board of Medical Examiners*," with power to permit any applicant to practice medicine and surgery within the State, upon the presentation of a diploma conferred by a reputable college of medicine, or who otherwise submitted to a full, strict and impartial examination by the board, and read a satisfactory thesis upon some medical subject; and the Assembly also imposed a penalty upon any one who should practice medicine in the State without proper authority from this board. The charter of this society and of this board of Medical Examiners still exist, although the powers of the latter have been much restricted since the year 1835.

With a few intervals of torpor, the society has continued in active operation to the present time, exercising a beneficent social as well as professional influence by striving to maintain the standard of medical requirement and of moral character; and thus, as we think, its labors have not been in vain.

The several presidents of the society and the date of their election were:—James Tilton, 1789; James Sykes, 1822; Arnold Naudain, 1823; Allen McLane, 1824; Arnold Naudain, 1828; Allen

McLane, 1829; James Lofland, 1830; W. W. Morris, 1832; John F. Vaughan, 1834; James Couper, 1835; James W. Thompson, 1841; W. W. Morris, 1845; J. D. Perkins, 1849; Henry F. Askew, 1851; James R. Mitchell, 1855; J. Merritt, 1856; Isaac Jump, 1857; R. R. Porter, 1858; E. D. Dailey, 1859; Lewis P. Bush, 1860; Gove Saulsbury, 1861; J. F. Wilson, 1862; W. N. Hamilton, 1863; James Couper, 1864; Albert Whitely, 1865; James A. Draper, 1866; Charles H. Richards, 1867; J. W. Sharp, 1868; William Marshall, 1869; T. S. Vallandigham, 1870; J. E. Clawson, 1871; R. G. Ellegood, 1872; Swithin Chandler, 1873; Nathan Pratt, 1874; Henry F. Askew, 1875; John J. Black, 1876; William T. Collins, 1877; Hiram Burton, 1878; John K. Kane, 1879; Ezekiel Dawson, 1880; David H. Hall, 1881; Howard Ogle, 1882; Robert W. Hargadine, 1883; Charles H. Richards, 1884; Read J. McKay, 1885; George W. Marshall, 1886.



DR. JAMES TILTON.

Dr. James Tilton was born in Kent County, Delaware, in 1745. His father, who died when he was only three years of age, left but a small estate, sufficient, however, to enable his mother to afford him the opportunity of a classical education at Nottingham Academy, Maryland, under the Rev. Samuel Finley, afterwards president of Princeton College. On leaving Nottingham he entered the Medical Department of the University of Pennsylvania, and was graduated in the year 1771, six years after the organization of the Medical Department of the University. He immediately entered upon the practice of his profession at Dover, Kent County, Delaware, and was beginning to achieve a reputation for ability and conscientious devotion to his duties when the independence of the United

States was agitated. In 1775 he addressed a letter to his friend and classmate in the University of Pennsylvania, Dr. Jonathan Elmer, of Bridgeton, New Jersey, upon the critical condition of affairs in this country, and expressed his determination, if the colonies should take up arms, to offer his services in their defense. He afterwards showed his earnestness and sincerity by becoming the first lieutenant of a company of light infantry; but after the Declaration of Independence he was appointed surgeon in the First Delaware Regiment. He was with the Continental forces at Long Island and White Plains, and in the subsequent retreat to the Delaware River. In 1777 he was in charge of the General Hospital at Princeton, New Jersey, where great neglect and consequent suffering existed among the troops, he himself narrowly escaping death from an attack of fever contracted there.

Said he, "It would be shocking to humanity to relate the history of our General Hospital in the years 1777 and '78, when disease swallowed up at least one-half of the army, owing to a fatal tendency in the system to throw all the sick of the army into a general hospital, whence crowding, infection and general mortality resulted, too affecting to mention."

Convinced that much of this was owing to the union of the Directing and Purveying Departments in the same person, he afterwards wrote as follows: "I mention it without a design to reflect on any man, that in the fatal year, 1777, when the Director-General had the entire direction of the practice in our hospitals as well as the disposal of the stores, he was interested in the increase of sickness and consequent increase of expense, as far, at least, as he would be profited by a greater amount of money passing through his hands."

In the winter of 1779-80 the sufferings of the sick in the tent hospitals was very great, and although an improved system, free from overcrowding, was recommended by Dr. John Jones, Professor of Surgery in King's College, New York, it had not been adopted. Doctor Tilton was at that time in charge of the General Hospital at Trenton, New Jersey, and to him has been ascribed the origination of a new system of hospital construction by the erection of log-huts, roughly built, so as to admit of free ventilation through the crevices. The floors of these buildings were hardened clay, and each was intended to accommodate not more than six men. The fire-place was in the centre, and the smoke escaped through a hole at the top.¹ The result reached his highest expectations; the typhus fever patients rapidly improved, and the plan was generally adopted.

General Washington, in a letter, September 9, 1780, writing of a proposed reorganization and

¹ The original suggestion of this form of military hospital has by some been ascribed to Marshal Saxe.

consequent decrease of the force in the medical department, spoke of Dr. Tilton as a gentleman of great merit, and who had a just claim to be retained.

In September, 1781, through the exertion chiefly of Dr. Tilton, an act was passed by Congress providing for promotion by seniority in the medical corps. About this time Dr. Tilton was elected a professor in the University of Pennsylvania, which honor he declined, unwilling to desert his situation in the service of his country. After the surrender of Cornwallis at Yorktown he returned to his native State, and recommenced the practice of his profession in Dover, in 1782. He was a member of Congress in 1782, and repeatedly served in the Legislature of his own State. Finding that the influence of malaria, then so abundant in Kent County, was undermining his health, he removed to Wilmington, New Castle County, and there resumed his profession. Soon afterwards he was appointed by the government commissioner of loans, which was a great relief pecuniarily, as he had entered and left the army without money. This office, however, he soon relinquished on account of a change of the national administration, with which he did not coincide.

With a reputation well established, his professional services were much sought; and the highest confidence was reposed in him, both by his patients and professional brethren, as a most honorable man and judicious physician. He continued thus in full practice for several years, when, having purchased a small farm adjoining the town, he removed thither. On this delightful spot, which commands a view of the Delaware, Christiana and Brandywine Rivers, with the town and also the intervening country of many miles in breadth, so beautifully interspersed with fields and woods, he built his house of the blue granite which underlies the ridge, and there removed, expecting to be permitted to enjoy his remaining years, disengaged from the more arduous duties of his profession. Fond of horticulture and pomology, he adorned his grounds with flowers and fruits, and here he administered to the diseased, or entertained his friends at his frugal but hospitable table, upon the products of his own farm.

At this time most of the surgeons who had acquired reputation in the War of the Revolution were either superannuated or had died, and the government of the United States, having declared war with Great Britain, remembered his valuable services to the country, and, recalling him to its aid, appointed him surgeon-general of the army of the United States. After much reflection and with much reluctance, on account of his age and impaired health, he consented to afford his ripe experience and sound judgment to his country, having received assurance that his duties would be

chiefly administrative, and his headquarters generally at Washington.¹

On the acceptance of this appointment Dr. Tilton considered it his duty to visit and inspect the hospitals on the Northern frontier. At Sackett's Harbor he found that the troops under General Dearborn, which had been concentrated during the winter, had been visited by severe sickness, and the hospitals were filthy and neglected as to their hygienic condition. He immediately convened the medical board, broke up the hospital there, and established it at Watertown, twelve miles distant. Along the Northern frontier he introduced his hospital regulations, and the benefits were soon visible in the improved health of the army. Of the second visit contemplated to the North, he was disappointed by the occurrence of a tumor on his neck, and on the disappearance of this, a formidable tumor attacked his knee, which, after causing much suffering, necessitated the amputation of his thigh. This operation was performed December 7, 1815, at his residence, probably by Dr. Physick, assisted by Dr. Smith, of Wilmington, and others. He bore the amputation with surprising fortitude and calmness, showing no sign of suffering, although then just beyond seventy years of age.² He survived the operation, but died May 14, 1822, in his seventy-fifth year. About the year 1857 his remains were disinterred, and deposited in the Wilmington and Brandywine Cemetery, and the Delaware State Medical Society took measures for erecting a monument to his memory by the appointment of a committee, of which the late Dr. Henry F. Askew was chairman. This memorial now stands in his burial-place, a fitting tribute to a great and good man. Besides the work on Military Hospitals above mentioned, Dr. Tilton prepared and published the following papers: "Observations on the Yellow Fever;" "Letters to Dr. Duncan on Several Cases of Rabies Canina;" also a second one on the same subject; "Observations on the Curculio;" "On the Peach-Tree and its Diseases;" "A letter to Dr. Rush Approving of Bleeding in Yellow Fever;" and oration in 1790 as president of the Delaware Society of the Cincinnati; "Queries on the Present State of Husbandry in Delaware."

¹ At the outbreak of the war he had prepared a work entitled "Economic Observations on Military Hospitals, and the Prevention and Cure of Diseases Incident to the Army," in which he elaborated the plan for hospital organization presented by him to Congress in 1781. In this work he condemned the practice which had hitherto prevailed of conforming to the organization which obtained in the European armies. This was the first publication on this subject which had been written in this country as the result of personal experience, and was highly commended by medical authorities of that day.

² Dr. Tilton was a member of and constant attendant at the Wilmington Presbyterian Church. Miss Montgomery in her reminiscences describes him as "about six feet tall, had dark hair, keen black eyes, very dark, swarthy complexion, loud and quick voice, finished in the art of chewing tobacco, always in a pleasant humor, no misanthrope, an old bachelor of the first order who always loved the society of ladies." In attending the levees in Washington, Dr. Tilton wore plain homespun clothes, one of the products of his farm.

The subject of his thesis for the degree of Bachelor of Medicine was "Respiration," and his inaugural dissertation for the degree of Doctor of Medicine in 1771 was "Hydrops." He also published his observations "On the Beneficial Effects of Sea-air Upon Children Suffering from Cholera Infantum or Chronic Diarrhœa," and recommended the town of Lewes, Delaware, as a proper place of resort in such cases. Some of these papers were read before the Delaware Medical Society, and some were published in the *Medical Repository*.

We are indebted to a memorial address delivered by Dr. Allen McLane, of Wilmington, Delaware, before the State Medical Society in 1823, for many of the facts in the foregoing paper; and to Dr. Toner, of Washington, for a part of the above list of Dr. Tilton's papers.

Dr. Edward Miller, one of the corporators of the Delaware State Medical Society, was born near Dover, Delaware, in the year 1760. He was the son of Rev. John Miller, A.M., who removed from Boston, Massachusetts, to Dover, where he resided forty-three years, in charge of the Presbyterian Church. He was a ripe scholar, and well versed in the Hebrew, Latin and Greek languages. His son, Edward, received his primary training in classical literature with his father, and afterwards took a collegiate course at Newark Academy, Delaware, under the tuition of Rev. Francis Allison and Alexander McDowell. His preceptor was Dr. Charles Ridgley, of Dover, but before he had concluded his studies, he entered the army as surgeon's mate, and afterwards as surgeon to an army ship. On his return home he resumed his studies at the University of Pennsylvania, and was graduated in medicine in 1785, the subject of his thesis being "De Physconia Splenica."

He then returned to Sussex County to enter upon the practice of medicine. At the first session of the Delaware Medical Society he was called upon, although then only five years from his graduation, to deliver the inaugural address. In 1793 he prepared a paper defending the theory of the domestic origin of yellow fever, then for the first time prevalent in Philadelphia, a copy of which he sent to Dr. Benj. Rush, who was led from its perusal to declare its author 'second to no physician in the United States.' In 1796 he removed to New York, and there, in conjunction with Dr. Mitchell and Dr. Elihu Smith, established the *Medical Repository*, the first medical journal issued in the United States. This work everywhere bears the marks of his genius and cultivation, by the brilliancy of his style, his lucid arguments, his originality and varied knowledge. He became port physician of the city of New York, Professor of the Practice of Physic in the University of New York, one of the physicians of the New York Hospital and a member of the Philosophical Society of Philadelphia.

His reputation and the attractiveness of his writings brought him into correspondence with eminent men in Great Britain, Germany and France.

In the *Medical Repository* of A.D. 1800, Dr. Miller published some observations on cholera infantum in which he recommended calomel and opium in that disease, in a different form from that prescribed either by Drs Cullen, Rush or Physic. Believing the liver to be involved materially in the production of the disease which bore that name, and considering that opiates and aromatics alone were merely temporizing remedies, he suggested the use of calomel in addition, in small doses: to wit, for a child two years of age, opium, gr. 1-6, calomel gr. 1-3, every two, three or four hours as required. In another paper he elaborated the importance of abstemiousness in warding off the effects of the malarial poison, and also its value as a remedy. Another paper is devoted to the "Medical Laws of Evidence," which he considered necessary to set forth in consideration of the deceptions which everywhere abounded on this point. In 1806, while port physician of New York, he reiterated the convictions which he retained, after having passed through the epidemics of 1798 and 1803, on the subject of "the domestic origin of yellow fever and its non-contagiousness." He was also an advocate of the use of water in fevers.

The death of Dr. Miller, which took place March 17, 1812, at the age of fifty-two years, was universally lamented, and by no one, outside of his own relations, more than by Doctor Rush, who wrote a touching memorial of his life, as did also other distinguished physicians of that time.

Dr. Nathaniel Luff¹ was also one of the incorporators of the Delaware Medical Society. His father, Hugh Luff, came from England in the latter part of the seventeenth century, and took up land from William Penn on the western shore of the Delaware Bay. He had two sons, Nathaniel and Caleb. Nathaniel settled in Mispillion Hundred and died there; and Caleb's residence was in St. Jones' Hundred. Caleb was a member of the State Legislature during the Revolution, and warmly supported the cause. He had two sons, Nathaniel and John. Nathaniel, the subject of this sketch, was born in St. Jones' Neck, Kent Co., April 23, 1756. His father was a farmer in comfortable circumstances, and his mother, Mary, was an intelligent woman. She was partially educated in Philadelphia, and was a member of the Episcopal Church, in the principles of which denomination she instructed her son.

Nathaniel's education commenced in Dover in the care of Rev. Charles Inglis, afterwards bishop of Nova Scotia. From this school he was sent to

¹ This sketch is taken from Dr. Luff's autobiography, prepared and published privately by him for his family and friends.

Philadelphia to receive a classical course. During this period his mother died and his grandmother deeded to him her property, reserving an annuity of £60.

On leaving the institution where he was educated he commenced the study of medicine with Dr. Glentworth, of Philadelphia, who had studied medicine first with Dr. Jno. Hunter, and afterwards in Scotland, and attended the medical lectures of Drs. Shippen and Chovet. Before his graduation, in 1776, he entered the army as assistant surgeon. After his first campaign he was promoted to the post of surgeon in a battalion from old Chester, under the command of Colonel Hugh Lloyd. In an interval from duty he attended the lectures of Dr. Benjamin Rush on chemistry and practice of medicine, Dr. Shippen's course of anatomy and Dr. Bond's chemical lectures.

Toward the close of 1776, being then twenty years of age, Dr. Luff was made surgeon of the First Battalion of the city of Philadelphia, commanded by Colonel Morgan, which on the 25th of December was ordered to cross to New Jersey. The command was present at the repulse of the British at the Trenton Bridges.¹

These soldiers were wretchedly provided for, almost destitute of clothing, and of the necessities of life, and the officers but little better off. Soon afterwards this battalion was discharged, at the expiration of their term of service.

By the advice of Hon. Caesar Rodney, then a member of Congress from Delaware, Dr. Luff left Philadelphia and went down to some point between Dover and Lewes, and engaged in the practice of medicine. Not feeling the necessity of such an arduous life, amid malaria, swamps, constant work and very little pay, he removed, with his wife, the sister of Dr. F. Fisher, whom he had recently married, to a farm on Mispillion Creek, where he resolved to engage rather in agriculture than the practice of medicine. At the time he abandoned practice in his first settlement the people were generally very poor, and six to eight hundred bushels of grain were paid frequently for an ordinary horse, while salt was from £3 to £5 per bushel. After the death of his father, Dr. Luff removed to Frederica, where he resumed the practice of medicine in 1797. Becoming somewhat embarrassed in finances, he again removed to his farm in St. Jones' Neck; but soon after concluded to go to Wilmington, where his wife died. Dr. Luff then abandoned the practice of medicine finally, and having joined the Society of Friends, of which his wife had been a member, he spent his time chiefly in traveling and attending upon their religious assemblies in Kent and New Castle Counties, Phila-

delphia and the Eastern Shore counties of Maryland.

In September, 1798, he married Lydia Boon, widow of John Boon, of Frederica, and daughter of Garreit Sipple, near Camden. Soon afterwards he removed to Maryland, near Greensboro, into a small house, which had belonged to Mrs. Luff's former husband; but in a short time returned to Frederica. From this time until 1805 he seems to have spent his time in attending the various meetings of the Quakers, partly from religious motives, and partly to obtain the influence of the Friends at those meetings in arranging some business affairs connected with the estate of James Boon, but paying little attention to his medical practice. He stated that he had resigned his position as censor of the Delaware State Medical Society, and also as a fellow, long before the year 1798, not believing that the advancement of medical science was the principal object of the society, "but the loaves and fishes,"—an opinion in which the fellows of this society ninety years later will not be disposed to coincide.

Judging from his diary, Dr. Luff was evidently an intelligent and cultivated man; erratic in disposition and not much attached to his profession, but conscientious in the discharge of his religious duties, and while in the Society of Friends he was doubtless a prominent member, not rising, because of natural timidity, to the position of a teacher in their assemblies. He died January 21, 1806, at Frederica.

Dr. John McKinley was born in Ireland, February 24, 1721. He resided in Wilmington and practiced his profession for some years. In 1777 he was elected President of the State of Delaware, being the first to fill that office after the formation of the Constitution of the State. On the evening after the battle of Brandywine, September 13, 1777, a detachment of British troops entered the town of Wilmington, and having learned where the President resided, made their way in the dark to his house, took him prisoner and carried him to Philadelphia.²

¹ In the "Life and Correspondence of George Read" several letters are found, dated the 4th and 7th of December, 1776, from General McKinley, as he is called, to George Read, then in Congress in Philadelphia, in which he says that "the troops of the first and second battalion of soldiers called for from Delaware to reinforce the American army at Philadelphia are not willing to march upon the terms set forth upon the requisition made by the proper authorities, to wit, to continue in service for three months, with no provisions for pay or supplies set forth. This being made definite, or satisfactory, they will readily go to Philadelphia." On December 16, 1776, in the same book, is a letter from Colonel Thomas Duff, of Newport, New Castle County, who says, "I am sorry to hear that Brigadier McKinley should discourage the men from marching. . . . I make what defense for the brigadier that I can, but I am afraid that the backwardness which seemed to be shown by him and some others on this alarming occasion will grow here."

William S. Read remarks: "These charges may be unfounded." Soon after this he was elected President of Delaware.

Notwithstanding the doubts in regard to General McKinley's position in military affairs, in the same work are several letters from George Read, Vice-President of the State (acting President), in relation to President McKinley, which are indicative of confidence on the part of Mr. Read. One letter, of November 25, 1777, was addressed to Commodore Griffith, commander of the English frigate "Solebay," then in the Delaware River, and was placed in the hands of Mr. George

¹ The light infantry of the battalion was composed chiefly of the sons of Quakers, men of property, and were popularly known as the silk-stocking gentry.

During the summer of 1778, Dr. McKinley was permitted to return home on parole. In the mean time, however, Caesar Rodney had been elected President of the State. Dr. McKinley resided in Wilmington during his Presidency until captured, and on his release returned to that city. He erected a large and commodious dwelling at the corner of Third and French Streets and laid out a garden, ornamented with rare flowers and fruit trees. Among those who enjoyed his hospitality was Archibald Hamilton Rowan, the Irish refugee, whose hut was on the Brandywine near the town, and who ostensibly supported himself by the product of his own labor, bringing it into the town on a wheelbarrow. Mr. Rowan was the intimate friend not only of Dr. McKinley, but also of Mr. Poole, Robert Hamilton, Caesar Rodney and other of the best citizens of the place. He was eventually restored to his family and estate on the coast of Ireland.

Dr. McKinley died August 31, 1796, and was buried in the cemetery of the First Presbyterian Church of Wilmington, a pillar at the front of which commemorated his bounty to that church. Although a Presbyterian, he at one time offered to the vestry of the Old Swedes Church a lot of ground at the corner of Seventh and Market Streets if they would build a church there, which, however, they declined to do.

On the slab which marks his grave is the following inscription: "This monument is erected in memory of John McKinley, who was born in the Kingdom of Ireland on the 24th of February, 1721, and died in this town on the 31st of August, 1796. He settled early in life in this country, and, pursuing the practice of physic, soon became eminent in his profession. He served in several important public employments and particularly was the first person who filled the office of President of the State after the Declaration of Independence. He died, full of years, having passed a long life usefully to the public, and honorably to himself." He was one of the founders of the Delaware Medical Society.

Dr. Matthew Wilson¹ was born in Chester County, Pennsylvania, in 1729. His education was directed by Francis Allison, D.D., who stood at the head of the educators of that day, and recognized the native ability and earnestness in

study of his pupil. The direction of his mind on leaving the seminary of Dr. Allison was to theological studies, which he accordingly prosecuted with his natural enthusiasm, and connected himself with the Synod of New York and Philadelphia, of which he was a member for thirty-five years, and to which he was always an ornament and an honor. The most satisfactory testimony to his usefulness and ability is shown by the fact that he was selected a principal member of a committee to prepare the "New Constitution of the Presbyterian Church in the United States." "As a Christian, his piety was fervent, uniform, enlightened and full of good works. As a preacher he was learned, orthodox, solemn and instructive."

Dissatisfied, however, with one profession and believing himself able in body and mind to undergo the labors of another, he studied medicine with Dr. McDowell, who was also a divine, a physician and a linguist. "For nearly twenty-four years the joint functions of minister of the gospel and physician were sustained and discharged by him with an ability and popularity which demonstrated that he was a man of extraordinary talents, attainments and energy." From the results of his medical practice he chiefly obtained the support for his family.

He wrote an able compend of medicine, which he called a "Therapeutic Alphabet." It was prepared for the press, used by himself, and transcribed by his students, but never published. He also wrote and published a "History of a Malignant Fever," which prevailed in Sussex County, Delaware, in 1774, in Aitkin's *American Magazine*; also, "Observations on the Severity of the Cold during the Winter of 1779-80" in the "Transactions of the American Philosophical Society;" also an essay on the diseases arising from the air, attempting to show that most diseases are caused by miasmata in the air, with an enumeration of some of them: in Carey's *American Museum*, vol. iv. 1786. For a number of years before his death, in addition to his other employments, he engaged in the direction and care of an academy, and in this his energy, learning and affability were conspicuous. In these three important employments Dr. Wilson labored with a constancy and an ardor equaled by few. His aim was without bound, or at least bounded only by his comprehensive powers, and his efforts for the good of others knew no weariness. His death occurred March 31, 1790, in Lewes, in the sixty first year of his age.

Dr. Wilson was an ardent Republican and a friend of his country's liberty. He warmly favored the measures adopted by the citizens of Philadelphia, previous to the Revolution, in opposition to the arbitrary measures of the mother country. He opposed the Stamp Act, encouraged his friends and parishioners in the non-importation agreement,

Latimer, together with a letter to President McKinley, to be delivered by permission of the commodore, in which he begs to have the President treated with all the indulgence and kindness possible. There is also a letter of the same date from Mr. Read to General Washington, in which he says, "we have been peculiarly unlucky in the captivity of our President and capture of our public papers, money and records," and entreats General Washington's efforts towards procuring the President's exchange as soon as practicable. "His usefulness," says he, "was such that his loss was severely felt throughout the State, and particularly by myself, upon whom the business of the executive department devolved."

These letters show the solicitude of Mr. Read for the welfare of President McKinley, and for his release from the hands of the British, and evince a high opinion of Dr. McKinley in State affairs.

¹ Taken from a sketch by Dr. Edward Miller in the *Delaware Register*.

and when the vessels brought the tea to the Delaware River, on which three pence per pound was to be paid (but which was not permitted to go to Philadelphia), he resolved to drink no more of that refreshing beverage nor introduce it into his family. He also opposed the use of it by his pen, showing its unfriendly effects as they appeared to him, and enumerated seventeen vegetables which he proposed as substitutes for it. This paper was published in Aitkin's *American Magazine*, of which Thomas Paine was editor. But the doctor's resolution was forced to yield at home, when on one occasion, his wife's sister brought from Philadelphia some tea which, she said, had not paid the duty.

The following instance of his refined honesty occurred much to the amazement of his friends. At the close of the American War a vessel was shipwrecked near Lewes, and her cargo was sold. The doctor attended and purchased a cask of aniseed cordial. Upon opening it he found a large bottle marked oil of rhodium. Alarmed at the discovery, he ran to the auctioneer and announced the fact, requesting him to send for the bottle and sell it again. The auctioneer replied that he would neither send for the bottle nor take it if sent to him, for if instead of oil of rhodium he had found brickbats, he should pay the price at which the cask was knocked off to him. The cask and oil of rhodium were sent to Philadelphia and sold for ten times their first cost. Dr. Wilson was buried in the Presbyterian Church cemetery at Lewes, Delaware. He was the father of the distinguished divine, the late James P. Wilson, D D. of the First Presbyterian Church of Philadelphia, and of Theodore Wilson, who was shot in the hotel in Lewes, Delaware.

Dr. Charles Ridgely was born in Salem, New Jersey, Jan. 26, 1735. He was the son of Nicholas Ridgely, of Dover, Delaware, and Mary Vining, widow of Benjamin Vining, who resided near Salem, New Jersey. Soon after his birth his parents removed to Delaware, and he received his early education in Dover. To obtain a knowledge of medicine at that time was no easy matter in this country; but his parents were able to give him all available advantages, and sent him to Philadelphia, where he prosecuted his studies in the Academy of Philadelphia. Dr. Phineas Bond was his medical preceptor. His life was spent in the practice of his profession in Dover; but his talents, cultivation and honorable character were the means of his being called to a variety of public offices, which he filled, in conjunction with his private duties, with much credit to himself and satisfaction to the community. He died November 25, 1785, of pneumonia, which followed a severe attack of bilious remittent fever, the result of fatigue and exposure in the discharge of

his professional duties. His son, Nicholas Ridgely, was chancellor of the State.

Dr. Joshua Clayton, another of the incorporators of the Delaware Medical Society, was born in Cecil County, Maryland, in 1744. He was the son of John Clayton, who, with his brother Paul, came to this country with William Penn. To John Clayton Mr. Penn gave an inheritance in Little Creek Hundred, and to Paul he gave lands in Penn's Manor, Pennsylvania. Dr. Clayton acted as surgeon or assistant surgeon at the battle of Brandywine. He married Mrs. McCleary, daughter of Governor Bassett. He was the last President of Delaware and afterwards Governor for two terms. He was elected to the Senate of the United States, and while in attendance at its session in Philadelphia, in 1798, was seized with yellow fever. Doctor Rush, with whom he was intimate, and whom he had assisted in the care of his yellow fever patients, desired him to remain in Philadelphia under his care, but Dr. Clayton declined to do this and proceeded to his home, where he died from the effects of the disease, at the age of fifty-four. Dr. Clayton had three sons—Dr. James L. Clayton, a surgeon in the United States service, Richard and Thomas Clayton—and several daughters, all of whom died young.

Dr. Joseph Hall was born in Lewes, July 31, 1748. He was the son of David Hall, of Lewes, and descended from an ancestor of the same name, who was one of the Plymouth settlers, and who located at Lewes. He is believed to have been a medical graduate of the University of Pennsylvania. He was one of the founders of the Delaware Medical Society. From the scarcity of physicians in his day Dr. Hall's practice was very extensive, reaching to remote parts of the country, and at times obliging him to be absent from home several days at a time. He served as a surgeon in the Revolutionary War, but is not known to have left the State in that capacity. In person he was robust, and of large stature; temperate habits; was connected with the Presbyterian Church in the capacity of an elder; and in that faith he died, September 15, 1796, at the age of forty-eight years. He was buried in the Presbyterian cemetery at Lewes. Dr. Hall married Elizabeth Fisher, daughter of Major Henry Fisher. Of six children, Dr. Henry F. Hall alone survived.

Dr. Nicholas Way was the son of Mr. Francis Way, of Wilmington, whose ancestors were members of the Friends' Society, and very respectable. The manners and appearance of Francis Way were those of a gentleman, and his residence, with its garden and grounds, bore evidences of taste and cultivation. He married late in life, and Nicholas Way was born of this marriage about the year 1750, or a little earlier. He

was a graduate of medicine in the University of Pennsylvania in 1771. He was one of the corporators of this society, and on the second day of the initial meeting of the society, May 13, 1789, was elected one of the curators. The only meeting, however, in which his name appears was held in Wilmington, December 10, 1793, the year in which the yellow fever prevailed in Philadelphia.¹

As a practitioner Dr. Way was highly prized for his skill. In 1793, when the yellow fever first appeared in Philadelphia, crowds of citizens sought an asylum in Wilmington. So great was the dread of the epidemic, that many were at first refused entrance into the town. Doctor Way used his influence by interceding for their reception. Immediately every door was open, and every house was filled.²

Dr. Way had his leg broken by being thrown from his horse and consequently gave up his country practice. This resulted in such a protest that in 1796 he removed to Philadelphia where he died of yellow fever, September 7, 1797. He was appointed president of the mint and never married.

Dr. Henry Latimer was born at Newport, New Castle County, April, 1752, and graduated at the University of Pennsylvania. In July, 1773, he received the degree of Master of Arts. He commenced the study of medicine in Philadelphia, and completed it at the Medical College of Edinburgh. On his return he entered upon the practice of his profession in Wilmington. In 1777 he was appointed surgeon in the Continental army, and served from Brandywine to Yorktown with such acceptance that his name was mentioned by General Washington for surgeon-general of the Northern Division of the army. He was elected a member of the Legislature of Delaware after the State organization; and from 1793 to 1795 was a Representative in Congress. From 1795 to 1797 he was elected to the Senate of the United States; and re-elected in 1797; but in 1801 he resigned his seat. He died in December, 1819, and was buried in the cemetery of the First Presbyterian Church, of Wilmington.

The father of Dr. Henry Latimer was James

Latimer, who was born in and lived at Newport, and was engaged in the grain and shipping business with Philadelphia. He married Sarah Geddes. The grandfather of Dr. Latimer came from Ireland, but the family was originally from Normandy. Dr. Latimer's children were Henry, John, Mary, James and Sarah, all deceased; and all, except John, are buried with their father and grandfather in the cemetery of the First Presbyterian Church, Wilmington.

Dr. James McCallmont was born at Newport, New Castle County, in 1755. His father was John McCallmont, a resident of Newport, and engaged in the flour business, and an elder in the Red Clay Creek Presbyterian Church during the pastorate of Rev. Wm. McKennan. He died in 1776, aged sixty-five years, and was buried in the cemetery of the church of which he was a member. Dr. McCallmont's mother was Sarah Latimer; her father was James Latimer. She was born in Ulster County, Ireland, and came to America when five years of age. The ancestors of the family emigrated to Ulster from Eastern Wales. Dr. McCallmont was educated at Newark Academy. His medical preceptor was Dr. Matthew Wilson, of Lewes, and while prosecuting his studies he lived in Dr. Wilson's family, in company with others engaged in the same occupation. In the year 1777 he was a surgeon in the United States navy, and in that year was in a naval engagement near Long Island. Later in the same year his ship was boarded by a Spanish privateer, and his life, with that of a younger brother, was saved by his giving the Masonic sign to the Spanish officer, just as they were about being forced to "walk the plank." They were then taken to a Spanish prison in the West Indies, and finally released through the influence of the United States consul. After leaving the navy Dr. McCallmont settled in New Castle, and practiced his profession until his death. Dr. McCallmont was one of the founders of the Delaware Medical Society; of studious habits, so fond of literature that his patients, to detain him, would, at times, place a book in his way, in reading which he failed to note the passage of time. He was a gentleman of fine personal appearance and robust health. He was very cheerful and youthful in his disposition, and temperate and regular in his habits. He respected religion, and was attached to the doctrines of the Presbyterian denomination, although he was never connected with the church. He died at New Castle of bilious fever, after an illness of ten days, Oct. 4, 1824, aged sixty-nine years, and was buried in the cemetery of the Presbyterian Church of New Castle. Dr. McCallmont was twice married. His first wife was Mary Monro, sister of Dr. George Monro, late of Wilmington. The children of his first marriage were Anna, who became the wife of Allan Thompson; Sallie Maria,

¹ Miss Montgomery in her reminiscences says: "He was an eminent physician, and a gentleman of the old school. His popularity was unbounded. He commenced practice in 1775, and was associated much with the officers of the American army, and with gentlemen from other States, which gave him acquaintances from abroad, and drew to him many students, especially from South Carolina." There is probably an error in the above date, as Dr. Way graduated in 1771.

² Matthew Carey refers to this in his history of the epidemic: "Humanity, tender and friendly as were the worthy inhabitants of Wilmington in general, two characters have distinguished themselves in such a very extraordinary manner as to deserve particular notice. These are Dr. Nicholas Way and Major George Bush, whose houses were always open to the fugitives from Philadelphia, whom they received without the smallest apprehension, and treated with a degree of genuine hospitality that reflects the highest honor upon them."

"The instances of this kind through this extensive country have been very few; but they are, therefore, only the more precious, and ought to be held up to public approbation."

wife of Hon. Kensey Johns, Jr.; John, who studied medicine, but died early in New Jersey; Arthur, for many years clerk of court in New Castle; James, who commenced the study of medicine, but relinquished it on account of failing health; Susan and George. His second wife was Martha McMullen, to whom he was married in 1807, and whose children were Matilda, George (2d), Francis, Marianna, wife of the late Dr. George McCallmont, of Philadelphia, and another.

Dr. Joseph Philippe Eugene Capelle was born in Flanders (or Courtray) in 1757. He came to this country during the Revolutionary War with Count de Rochambeau, and was subsequently placed on the staff of Gen. Lafayette as surgeon or surgeon's mate.¹

Dr. Capelle was a member of the Episcopal Church. After the war he settled in Wilmington and continued in the practice of his profession until November 5, 1796, when he died. His wife was Mary Isabella Pierce, of Baltimore; and their children were Phillippe Henri, Marcus Eugene, Marie May Capelle, Henry Ward Pearce. His funeral took place on Sunday, November 7, 1796, in the cemetery of the Old Swedes' Church, with imposing Masonic and religious ceremonies. Dr. Capelle was one of the incorporators of the State Medical Society, and was repeatedly elected one of its censors. As a professional man he was very popular.

Dr. Robert Cook was also one of the founders of the State Medical Society. He was born in Kent County. He married the widow of Gov. Daniel Rogers, and lived and died in South Milford. He was appointed at the first meeting of the State Medical Society in the spring of 1789, in conjunction with Drs. Molleston, Sykes and Miller, to report rules of order, and to draft an ordinance regulating admission of members.

Dr. David Bush was the youngest son of David and Ann Bush (*née* Thomas). He was born in Wilmington, December 6, 1763. Three of his brothers—Lewis, George and John—were officers in the army of the Revolution. Lewis studied law in York, Pennsylvania, entered the army soon after he was admitted to the bar, was appointed major, and killed at the battle of Brandywine. George was also a major, and was wounded in the side. He was appointed by Washington the first collector of the port of Wilmington; and died from the effects of his wound. John was appointed captain—he passed through the war unhurt—mar-

ried a lady in Kent County, Maryland, and died there.

Dr. Bush was elected a member of the State Medical Society December 10, 1793, having presented a "Dissertation on Small Pox," which was considered as evincing so much ability that he was honored by the appointment of orator of the next annual meeting. Dr. Bush was highly esteemed by all classes in Wilmington. He was married ~~March 5, 1879~~ to Miss Betsy Price, of Chester County, Pennsylvania. He was named for a half-brother, also a physician, whose death took place in Grenada, shortly before his brother's birth, he having gone abroad for his health. Dr. Bush died February 15, 1799, at the age of thirty-six years. Four children were born of this marriage, but all died early. He was buried in the cemetery of the Old Swedes' Church, having been a member of the Lutheran Church. On the death of Dr. Capelle, Dr. Bush was appointed to deliver a eulogy upon the character of the deceased. In this, his own religious faith was set forth, as well as his estimation of the Christian, and otherwise excellent character of his friend.

Dr. George Monro was born in New Castle, February 22, 1760. His father came over from Scotland a few years before the birth of George. His mother was Lydia Hall, a niece of Governor Hall, of this State. Dr. George Monro was educated at Newark Academy, and subsequently graduated in medicine at the University of Pennsylvania. During the Revolutionary War he served as surgeon in the Virginia line, and at the close of hostilities went to Europe and further prosecuted the study of medicine in London and Edinburgh. In 1786 he returned to this country and settled on his farm near St. George's. He married the youngest daughter of Col. Haslet, of Revolutionary fame, and in 1797 moved to Wilmington, where he resumed the practice of medicine. He soon obtained a high position among the leading physicians, and by his skill in medicine and surgery, his liberality and benevolence, won the esteem of a large circle of friends and acquaintances. He became an earnest Christian in middle life, although his early years were tinctured with infidelity, and his whole character showed the reforming and benign influence of his religious views. After a brief illness, he died suddenly on the 11th of October, 1819, in his sixtieth year. Although a man of superior education, Dr. Monro left but few productions of his pen, the only prominent contribution to medical literature being published in the *New York Medical Repository* on the yellow fever in Wilmington in 1798. Dr. Monro was one of the secretaries of the Society of the Cincinnati.

Dr. James Sykes,² was born March 27, 1761, in

¹ It is stated that when General Lafayette was shot in the leg at the battle of Brandywine, Dr. Capelle rode up and offered to dress the wound, but the general declined his services, remarking that his injury was trivial, and the wounded soldiers were in more urgent need of the physician's attentions. The general's wound was bound up by a camp follower named Belle McCuskey, who, until her death, wore a bullet suspended from her neck, which she declared was taken from General Lafayette's leg. When the general visited the United States in 1824, while in Wilmington he called on this old woman, and expressed his gratitude to her for her services on that occasion.

² During Dr. Sykes' first period of practice at Dover, the community was greatly excited over a number of cases of mysterious poisoning,

the vicinity of Dover. His father, after whom he was named, held several State offices, was a member of the Privy Council at different periods and took part in the convention which revised the Constitution of the State. James Sykes, the younger, was educated in Wilmington and Dover. He read medicine with Dr. Clayton, an eminent practitioner of Bohemia Manor, and attended the lectures of Drs. Shippen, Morgan, Kuhn and Rush. He began his professional career at Cambridge, Maryland, where he remained four years, and while there married Elizabeth Goldsborough, daughter of Robert Goldsborough. Returning to Dover, he soon acquired a fine practice in medicine and surgery, and became so skillful in the latter branch that Dr. Tilton, surgeon general of the United States army, declared him to be unsurpassed as a lithotomist. Dr. Sykes was elected to the State Senate repeatedly, and was executive of that body for fifteen years, after which he was chosen Governor. In 1814 he removed to New York, where he remained nearly six years, when, not meeting with the encouragement he had anticipated, he went back to Dover, where he remained until his death, October 18, 1822. His son, Samuel Sykes, was his partner after his return from New York. A second son, William Sykes, was the father of General Sykes, a commander in the Army of the Potomac. The only daughter of Dr. Sykes survived her father but a few days, her death being caused by grief at his demise.

Dr. John Brinklé¹ was born in Kent County, Delaware, September 1, 1764. His father was John Brinklé, of St. Jones' Neck, a farmer and captain in the Continental army, and his mother, Elizabeth, was a daughter of John Marion, of Kent County.

Dr. Brinklé was educated at Newark, and at the University of Pennsylvania. His medical studies, begun in 1787, were completed under Dr. Shippen, and he was elected a member of the Delaware State Medical Society in 1811; resigning in 1828, when his name was placed on the honorary roll. He settled in Kent County, where he practiced his profession and managed his farms; also engaged in shipping wheat, in which business he was interested with John Welch, father of the late William Welch, of Philadelphia. In 1830, Dr. Brinklé retired from practice and removed to Wilmington. He

which Dr. Sykes soon traced to Peruvian bark, employed largely as a remedial agent, and found it contained red oxide of lead, a weighty and deleterious drug. Investigation showed that the druggist from whom the bark was obtained had employed a negro to reduce it to a powder, and the latter, being paid by the pound for the work, surreptitiously introduced the oxide of lead to increase his remuneration. In a sketch which Dr. J. F. Vaughan prepared for the State Medical Society and published in the *Delaware Register*, the "adulteration" was charged upon Philadelphia.

One of Dr. Brinklé's ancestors was a member of Penn's Council, and on one occasion, considering that the Quaker proprietor was assuming too much power, he withdrew from the Council. Another ancestor, Edward Brinklé, in the reign of Edward VI. advocated the transfer of the confiscated monastic estates to the Protestant Church.

was identified with the Episcopal Church from about 1816, and was active in building St. Andrew's Church, Wilmington, and Grace Church, Philadelphia, he and his wife being among the original communicants of the former. He died, January 9, 1835, of heart trouble. When the fatal attack came on he got up and looked at the clock, and then sat with his finger on his pulse for a few moments, when death intervened. His remains were deposited in a vault at Grace Church, Philadelphia.

Mrs. Dr. Brincklé² was Elizabeth Gordon, daughter of Joshua Gordon, and niece of Judge Thomas Rodney and Caesar Rodney, a signer of the Declaration of Independence. She spent much of her youth with the last named until married, on January 6, 1790. Dr. Brincklé had eight children—Mary, who died in infancy; Joshua, who studied law with Caesar A. Rodney and practiced in Dover; John Rodney, a manufacturer and merchant; Samuel Crawford, a minister; Wm. Draper, who studied medicine; Charles Marion, died in infancy; Henry Marion, died aged twenty-two; Thomas Rodney, who studied medicine.

Dr. Pierre Chetard was born at Cape Francois, St. Domingo, July, 1766. His father, Pierre Chetard, was born in St. Yrieix in the ancient province of Limousin, France, whence he emigrated to St. Domingo, and was the owner of a large coffee plantation at the time of the Revolution on that island. His mother was Louise Helene Joulair, and her father was a resident of St. Domingo.

Pierre Chetard resided during his youth with his father's relatives in France, and was educated at Toulouse, where he obtained the degree of A. M. in August, 1785. He subsequently entered the medical school at Montpellier, obtained the degree of Licentiate of Medicine, in March, 1788, and that of M. D., in April. After graduating he returned to St. Domingo, and resided there for a short period. He then went to Paris and studied surgery for two years. While in Paris the Revolution of St. Domingo occurred, and his parents being obliged to flee from the island, came to the United States and took up their residence in Wilmington. Dr. Chetard arrived in Wilmington in March, 1794. He commenced the practice of medicine, and remained until the death of his parents. In 1794 he became a member of the Medical Society of Delaware, and delivered the anniversary oration. His father died in April, 1796, and his mother in February, 1797. He then availed himself of the permission granted by the chief of the island of St.

¹ Elizabeth Brinklé was a lineal descendant of Sir Henry Seymour, the grandfather of Edward VI. Her grandmother Gordon was the daughter of the Rev. Thomas Crawford, a native of Scotland, but a missionary of the Church of England to this colony. He was the first clergyman sent out by "the Society for the Propagation of the Gospel in Foreign Parts" after its organization in 1701, and the first rector of Christ Church, Dover. His wife was the only daughter of Arthur Meston, of Kent County. He was buried in the chancel of his church.

Domingo to return and take possession of his estates. He remained in St. Domingo from the latter part of 1797 to 1800, when, fearing a renewal of the massacre of the whites, which afterward occurred, he returned to the United States. He sailed about the last of May, 1800, on the ship "Sympathy," which was captured shortly afterward by the British ship "Alarm." Dr. Chetard's claim as an American citizen was recognized by the British captain, and he was transferred to the schooner "Elizabeth," of Baltimore, of which city he became a permanent resident, and was soon actively engaged in his profession.

Dr. Chetard contributed largely to medical literature, and in 1812 was elected a member of the Baltimore Medical Society; in 1818 a corresponding member of the New Orleans Medical Society; in 1820 corresponding member of the Royal Medical Society of Marseilles; in 1825 a corresponding member of the Medical Society of Mexico; and in 1835 a corresponding member of the Royal Academy of Medicine of Paris. He was a Roman Catholic, and died in that faith June 5, 1848. He was married October 28, 1801, to Jeanne Marie Adelaide Françoise Boisson, daughter of Jean Thomas Boisson and Adelaide Cœnu. She was born at Cape François, St. Domingo, but was educated in France. They had eight children, of whom the following survived their father: S. M. Chetard, M.D., Ferdinand Edmund, Frederick Peter (formerly of the United States navy), Emily, who married Frederick Dungan, of Baltimore, and Josephine, the wife of Dr. Chew Van Bibber, of Baltimore.

Dr. Elijah Barratt was born December 29, 1770, on his father's estate near Frederica, Kent County. He was the son of Philip and Miriam Barratt.¹

Dr. Elijah Barratt studied medicine under Dr. Nathaniel Luff, and became a practitioner, although he never graduated, a not uncommon occurrence in those days. He was elected a member of the Delaware Medical Society in 1790, and was active in it until his death, which occurred April 11, 1809. Dr. Barratt was prominent as a physician and politician; was a strong Federalist, and refused to be a candidate for Congress. He was sole devisee of his brother, Nathaniel Barratt, who died November, 1797, and also devisee of the farm which had been allotted to him, upon the partition

of his father's estate, by Judge Thomas White, Richard Lockwood and Governor Richard Bassett. Dr. Barratt married Margaret Fisher, and left five children—Susan F. Barratt, who married Nathaniel Smithers, Jr.; Mary Barratt, who married Andrew Green; Margaret, who married Mr. ——— Knott; Eliza F., who married Mr. ——— Prettyman; Edward F., who died unmarried in 1819.

Dr. John May Laws was born in Nanticoke Hundred about the year 1770. His father was John May Laws and his mother was Elishe Tingley Beswick. He graduated from the University of Pennsylvania in medicine in 1790, and became a member of the State Medical Society in 1792. He commenced the practice of medicine in Milford. He was appointed a justice of the peace in 1818, and died childless, either in Milford or Frederica, while still young.

Dr. Theodore Wilson, the son of Rev. Matthew Wilson, M.D., D.D., of Lewes, was born June 28, 1772 and studied medicine with his father. He became a member of the State Medical Society in 1792, and practiced in Lewes until his death, which occurred in 1815.

Dr. Julius Augustus Jackson, "a practitioner of physic" in 1775, obtained a warrant from Penn for a tract of land in Seaford Neck, where he built a house and wharf and became a large landed proprietor. At his death he left half of his medical books and instruments to each of his sons, Jeremiah Rush and Peter, who were also physicians. He was one of the founders of the Delaware Medical Society in 1789. Dr. Peter Jackson, Jr., was born in 1792. He settled in Milton in 1838, and died December 3, 1863.

Dr. Edward Dingle was born near Dagsboro', June 8, 1779. He was the son of Edward Dingle, and grandson of Rev. Edward Dingle, a native of England, and who in 1731 became rector of St. Mary's parish in Worcester County, Maryland. Dr. Dingle studied medicine with Dr. Jacob Wolfe, of Lewes, and began to practice in Dagsboro', where he prospered. He was appointed an associate justice of the County Court, and was a member of the convention that framed the State Constitution of 1831, and suggested the biennial elections which became a feature of that instrument. He died September 8, 1847.

Dr. James P. Lofland, for thirty years a prominent physician in Delaware, died in August, 1851. Dr. Mark G. Lofland, his son, was born May 17, 1827, and died December 4, 1881. He studied medicine with his father, was graduated at Jefferson Medical College, and continued his studies afterward under Drs. Pancoast and Wistar and then removed to his native place and took up his father's practice.

Dr. John Miller, eldest son of Rev. John

¹ Philip Barratt was the first of the name to settle in Delaware, where he acquired an extensive tract of land and engaged in farming and shipping bark and staves to Philadelphia, in a vessel belonging to him. He was a Methodist, and gave the site of the first church of that denomination in that section. It was built of brick imported from Holland, forty-four by forty-eight feet, and was at that time "far the grandest place of worship of the Methodists in America." It was begun in 1780 on Philip Barratt's farm, where it still stands, and although used for worship, was not finished for sixty years. Philip Barratt was appointed high sheriff of Kent County by Caesar Rodney, President of the State, and was in office during the Revolutionary War. He protected Bishop Asbury from mob violence. He died in 1797.

Miller, of Delaware, died February 28, 1777, at the early age of twenty-five years. He was a surgeon in the Revolution in a Jersey regiment; was seized with a fever at Darby, Pa., and died of exposure and hardships of military life.

Dr. Joseph Hall, of Lewes, born 1750, was one of the founders of the State Medical Society. He died in 1796. Dr. Henry Fisher Hall, born 1789, died 1865, was his son. Dr. David Fisher, born April 24, 1831, son of the last named, is now (1888) practicing at Lewes.

Dr. Thomas Macdonough, father of Commodore Macdonough, the hero of Lake Champlain in the War of 1812, was born at Macdonough in St. George's Hundred. He was practicing medicine when the war of Independence opened, and entered the army as major of Col. Haslet's regiment. At the close of the war, he returned to his home, continued his profession, served as a court justice for a time, and died 1795.

Martin Barr, M.D., was born in Strasburg, Lancaster County, Pa., in 1792. In 1810 he entered the office of Dr. Benjamin Rush as a student of medicine, and in 1813 was graduated from University of Pennsylvania, and then moved to Middletown, Delaware. He died September 14, 1874. He joined the State Medical Society in 1813. Dr. William H. Barr, his son, born 1825, studied medicine with his father, was graduated in medicine at University of Pennsylvania in 1850, began practicing in Middletown, and is a resident physician there.

Dr. Daniel G. Fisher, son of Alexander Fisher, was born November 25, 1823, studied medicine with Dr. William Atlee, of Philadelphia, graduated at University of Pennsylvania in 1852, and located to practice his profession in Seaford, Delaware, where he continued until 1863. He then was chosen an enrolling surgeon of Delaware. After the war he resumed his profession at Milford, where he died in 1881.

William H. White was born at Snow Hill, Md., in 1825; started to practice at Pittsville, Md.; remained but a short time there; graduated at Jefferson Medical College in 1851; remained in Laurel two years and opened an office at Sixth and King Streets, Wilmington, and practiced there until his death April 19, 1867. He was Brigade Surgeon, appointed in 1861; remained until 1863, when he was honorably discharged on account of sickness. On his return from the army he was presented with a case of surgical instruments, costing \$500, by the citizens of Wilmington.

Dr. William Cummins was born in Smyrna, June 21st, 1814, son of John and Susan Cummins. Dr. Cummins received his preliminary education in Smyrna, after which he entered Yale College, and having completed his course there, he entered the Medical Department of the University of Pennsyl-

vania and was graduated in medicine in 1838. He became a member of the State Medical Society of Delaware in 1838, and was elected Secretary in 1841, in which office he was continued for several consecutive years. Dr. Cummins was of medium size, of gentle and pleasing presence, kind and faithful in the performance of his duties in his profession, and to the community of which he was a valuable member, and highly respected. In addition to his attachment to his profession, he was also fond of and interested in the pursuits of agriculture, to the exercise of which his landed estate furnished ample opportunities. In later years of his life he had strong religious convictions, and being a member of the Protestant Episcopal Church, he was admitted to perform the functions which pertain to the office of a lay reader. Dr. Cummins was a member of the Kent County Bible Society, and a director of the Farmers' Mutual Insurance Company, of Wilmington. His children were Margaret Baily, William Alexander Cummins and Robert Lawber Cummins.

Dr. William Baldwin¹ was born in Chester County, Pennsylvania, March 29, 1779. His father was Thomas Baldwin, a Quaker preacher, by whom he was liberally educated and began to teach. He read medicine with Dr. William A. Todd, of Downingtown, and in 1805 was appointed surgeon on a merchant vessel bound to China. On his return he resumed the study of medicine and graduated at the University of Pennsylvania. He located at Wilmington and married Miss Hannah M. Webster, of that city. He became a fellow of the Delaware State Medical Society May 14, 1811. His health failing, he removed to Georgia. In 1812 he was appointed surgeon of a gunboat flotilla at Savannah, and in 1817 surgeon on the frigate "Congress" bound on a South American mission. This last appointment was due to his scientific acquirements, and while abroad he collected many new botanical specimens, a portion of which are in the Philadelphia Academy of Sciences. In 1818 he returned and again settled in Wilmington. In 1819 he was a delegate to a general medical convention in Philadelphia. The same year he was appointed botanist to Long's expedition to the Upper Missouri, but died *en route* at Franklin, Missouri, September 1, 1819, at the age of forty-one years, leaving a wife and four children.

Dr. William Gibbons, son of James and Eleanor Peters Gibbons, was born August 10, 1781, in Philadelphia. He was the youngest of thirteen children, and was given a superior education. He studied medicine with Dr. Jacob Ehrenzeller, an expert Revolutionary surgeon living at West Chester, and with Dr. John Vaughan, of Wilmington. He was a graduate in medicine of the Pennsylva-

¹ Dr. Baldwin was also a distinguished botanist, and wrote many valuable articles on this science and on medical topics.

nia University. In 1806 he bought a farm in Chester County and married Rebecca, the daughter of David Donaldson, of Wilmington. In 1807, upon the death of Dr. Vaughan, Dr. Gibbons removed to Wilmington and located there permanently, soon rising to the front rank of the local practitioners. He devoted considerable attention to natural sciences and languages, and was celebrated in both, being one of the founders of the Delaware Academy of Natural Sciences. He was also extensively known through his articles on religious, scientific and other topics. He died July 25, 1845, leaving eight sons and five daughters. One of his sons was a member of the faculty of the Medical College of the Pacific, at San Francisco. His children were James Henry, died August, 1807; Henry, died 1885; James Sloan; William Peters, died 1886; Charles, died 1884; Sarah Ellen; Edward, died 1882; Louis, died 1875; Margaret D., died 1865; Rebecca Elizabeth; Redmond; Francis, died 1861; Caroline. Mrs. Rebecca Donaldson Gibbons died in 1869, aged eighty-one years. Dr. Gibbons established and conducted a religious periodical called *The Berean*, 1824 to 1827.

Dr. Samuel Henry Black, son of David William and Margaret Ferris Black, was born in New Castle County December 20, 1782. He received a liberal education, and when about nineteen years of age commenced the study of medicine with Dr. John Groome, of Elkton, Maryland, completing his medical course at the University of Pennsylvania. He settled in Glasgow, New Castle County, and for more than twenty years prosecuted his profession. His practice extended to Newark, Elkton, Middletown and Port Penn. In the latter part of the year 1817 he married Dorcas Armitage Middleton, daughter of Robert and Mary Middleton, of Glasgow. He died April 17, 1827, in the forty-fourth year of his age, leaving a widow and nine children. Dr. Black was a man of more than ordinary endowments in all the relations of life, and had one of the finest private libraries in the State.

He was a member of the General Assembly for several sessions and a popular writer on medical and agricultural topics. He was particularly zealous in his advocacy of vaccination.¹

Dr. Black was one of the trustees of Delaware College, and at a meeting of the board he was seized with apoplexy, which terminated his life in a few hours.

Dr. William Winder Morris was born near Snow Hill, Worcester County, Maryland, January

26, 1784. His father was James P. Morris, and his mother was Leah Winder, daughter of William Winder and sister of Governor Levin Winder, of Maryland, and of Dr. John Winder, of Northampton, Virginia. His professional studies were prosecuted under Dr. Samuel Kerr, of Princess Anne, and Dr. Thomas James, of Philadelphia. He commenced practice in Dover in 1808, and continued it until 1855, when his health failed. Dr. Morris died in Dover December 16, 1857, and was buried in the Presbyterian Church of that place. His wife, Mary, was the daughter of the late Dr. Charles Ridgely, and half-sister to Chancellor Ridgely. Three children survived Dr. Morris,—Anna Maria, who became the wife of Hon. Caleb Layton, of Georgetown; Emily, who remained single; and William, who studied law with Hon. John M. Clayton, and practiced his profession successfully in York, Pennsylvania, for many years, after which he retired to his farm in the neighborhood of Dover. He married Miss Catharine Harris, of Harrisburg, Pennsylvania. Their daughter, Mary Middleton, married Caleb S. Pennewill, of Dover.

Dr. Allen McLane was born in Smyrna, Kent County, in 1786. His father was Colonel Allen McLane and his mother was formerly Rebecca Walls. Dr. McLane was the brother of Hon. Louis McLane, minister to England. Colonel McLane, his father, served in the Continental army throughout the Revolution; was a lieutenant in Caesar Rodney's Delaware Regiment; and was afterwards under General Washington at the battles of Long Island, White Plains, Trenton, Princeton and Brandywine. He was a major in Lee's Legion, and served at Paulus Hook, Stony Point and Yorktown. After the war he was a member and Speaker of the Delaware House of Representatives, judge of Court of Common Pleas, marshal of Delaware and collector of the port of Wilmington from 1808 to the time of his death, in 1829. Dr. Allen McLane was educated at Newark Academy and Princeton College, and received his medical diploma from the Pennsylvania University, his preceptor being Dr. Benjamin Rush. Immediately after his graduation in 1811 he commenced practice at New Castle, but soon removed to Wilmington, where he remained until his death, which occurred suddenly, January 11, 1845, from heart disease. Dr. McLane served as surgeon in Caesar A. Rodney's company in the War of 1812; he was one of the first mayors of Wilmington, a member of the vestry of the Old Swedes' Church and one of the founders of Trinity Chapel. He married Catherine G., daughter of George and Mary Thompson Read, June 18, 1812, and his children were Samuel, Allen, Mary, Julia and George, of whom the sons died in early manhood. Dr. McLane was one of the most prominent citi-

¹ In order to demonstrate his confidence in vaccination as a protective agent, it is stated that on one occasion Dr. Black took his little son, Robert, who had been vaccinated some time previously, to a camp of Indians, then at Cooch's Bridge, on their way to Washington, and in which there were some cases of small-pox, and placed him among the diseased Indians. The experiment proving a success, it did much to convince the community of the merits of vaccination.

zens and leading physicians of his city, and his death was regarded as a public calamity. His remains were followed to the graveyard of the Methodist Episcopal Church by the clergy, the mayor and City Council, the members of the bar and medical profession, and a large concourse of his fellow-citizens. The funeral services were performed by Rev. J. McCullough, of the Episcopal Church; Rev. John Kennaday, of the Methodist Church; Rev. William Hogarth, of the Presbyterian Church, and Bishop Lee, of the Episcopal Church.

Dr. Ezekiel Cooper was born near Willow Grove, Kent County, November 28, 1788. He was the son of Hon. Richard Cooper, one of the judges of the Superior Court of Delaware, and Sarah Alford, daughter of Aaron Alford. The ancestors of the family emigrated from England. Dr. Cooper read medicine with Dr. James Sykes, Sr., of Dover, began practice in Camden, Delaware, and in 1822 joined the State Medical Society on a certificate from the Maryland Medical College. His name appears upon the minutes of the society up to 1827, when he removed to Philadelphia, where he died several years later and was buried in St. George's cemetery, Coates Street. He was married, January 25, 1814, to Louisa Baggs, daughter of Andrew Baggs, of Caroline County, Maryland. His children were Richard, Ezekiel, Henrietta, Andrew Baggs and Mary Louisa.

One of the most widely known men in the profession—alike as man and physician—and one whose life linked the early years of the present century to the middle years of its latter half, was Dr. Henry F. Askew, of Wilmington (born 1805, died 1876). Not only was Dr. Askew one of the oldest citizens of Wilmington, but he was a descendent of one of the oldest families of the State. He was a descendant of Sergeant John Askew, who, after the surrender of New Amsterdam, in 1664, accompanied Sir Robert Carr's expedition against Fort Casimir. He was present at the storming of the fort and for his services received the grant of a piece of land near where it was destined that the city of Wilmington should arise and grow, and here his descendants lived and yet live. Henry F. Askew was born June 24, 1805, in a house which afterwards was a part of St. Mary's College. He read medicine under the preceptorship of Dr. William Gibbons and subsequently attended the Medical Department of the University of Pennsylvania, from which he graduated at the age of twenty-one years in 1826. He had a strong inclination to settle for the practice of his profession in the West, and moved to Ohio for that purpose, but soon came back as far as Centreville, Delaware; and it was not long before he returned to his native place, which

proved to be a wise step, for he here attained a great success, not only professionally, but socially. His practice soon became extensive. "While in his prime he was probably out at least half the nights of the year," says one of his contemporaries, and it may readily be believed, for he was as ready to answer a call from the poor as the rich, and, in addition to his purely professional ability, he had a charm and cheeriness of manner and a subtle feeling and tact which go further in the sick-room than medicine. At the time of his death his practice was not only the largest in the city, but in the State. He was an active and influential member of the Wilmington and the State Medical Societies, and the American Medical Association. He was elected president of the last-named society, filled the same position in the State organization, and, also, for several years that of treasurer. As these honors indicate, he was held in high regard not only in the place of his residence, but by the members of his profession everywhere and that high estimation in which he was held was apparently won and held by the sterling qualities of the man almost as fully as by the acknowledged abilities of the physician.

Dr. Askew was a man of strong constitution, active habit of mind and body, and exceedingly sympathetic and social in his nature. Large as was his professional practice and as exacting as were its duties, it could not exhaust his energy nor satisfy his desires, and thus the former found activity and the latter satisfaction in many employments entirely outside of medical study and practice. Close as was his application to his profession, he took a deep interest in politics and in that close-knit of the interests of mankind to be found in some of the secret and benevolent orders; nor was he for all of this less admirable in domestic relations, for he was a model husband and father. Politically he was a Democrat, and when in his prime took a leading place in the management of the party and had a marked influence in that capacity. His devotion to his profession and its exacting demands made it well-nigh impossible for him to accept office, which would remove him from home or engross his time. He was a member of the Council from 1845 to 1847; was postmaster of Wilmington during the last year of Pierce's and the whole of Buchanan's administration; was port physician and physician to the Almshouse several times; was prominently talked of for Governor and United States Senator, and in 1876 was appointed as State Centennial Exposition commissioner. Had he chosen to have entered upon a political career, almost any place at the disposition of the State might have been his. He was an active member of the I. O. O. F., holding in succession the principal offices of the order, and at the time of his death was the oldest Past



Wm. L. Brown



Alfred Russel Wallace

Grand Master in the State. A member of the Delaware Historical Society from its inception, he became its president and held that office for several years, upon his retirement being made president *emeritus*.

But to enumerate offices held and societies identified with would be in the case of Dr. Askew too much of a task. He was a charter member of the Savings Fund Society, founded over fifty years ago; was prominently connected with the founding of the Wilmington and Brandywine Cemetery, and took a leading part in the movement which resulted in the erection of a monument to Dr. James Tilton. It seems, almost, in reviewing Dr. Askew's life, that he knocked at almost every portal of happiness and usefulness, entered in, and was adequate in every one, to better himself and those with whom he came in contact. He became a member of the Methodist Episcopal Church during the year before he died.

Dr. Askew died March 5, 1876, after an illness of considerable length, which his indomitable spirit concealed from the general public, and from every one except those nearest to him.

Dr. Henry Fisher Hall,¹ born in Lewes, September 8, 1789, was the son of Dr. Joseph Hall and Elizabeth, daughter of Henry Fisher. Dr. Hall was educated at the University of Pennsylvania, studied medicine with Dr. John White, and on April 15, 1814, was appointed by President Madison surgeon of the Forty-second Infantry, where he served for seven years and resigned. In 1820 he was made surgeon's mate in the Third Infantry and served with credit in the Northwest. In 1814 Governor Maull commissioned him brigadier-general in Sussex County, and he was subsequently collector of customs at Lewes. He continued the practice of medicine for fifty-four years and died in 1865. His remains were interred in the Presbyterian burial-ground at Lewes. In 1823 he married Hester, daughter of Caleb and Betsy Rodney. Their children were Elizabeth, Margaret F., Joseph R., David, Eliza L., Mary D., Rebecca B., and Henry R. Hall.

Dr. Arnold Naudain² was born at Snowland, the residence of his parents, near Leipsic, Kent County, January 6, 1790. His father was Andrew Naudain and his mother was formerly Rebecca

Snow. Dr. Arnold Naudain was educated at Dover and Princeton and graduated in medicine at the Pennsylvania University from the office of Dr. James Sykes in Dover, where he began his professional career. In 1810 he married Mary, daughter of Thomas Schec, who came here from Holland in 1740. Dr. Naudain was major in the War of 1812; a member of the Legislature and of the State Senate; was United States Senator from 1829 to 1836, when he resigned; collector of port of Wilmington 1841 to 1845. In the latter year he removed to Philadelphia and resumed his professional duties. He lived on Broad Street and assisted in establishing the Green Hill Presbyterian Church, of which he was an elder. In this capacity he was succeeded by his son, who was the fifth generation of Presbyterian elders in the Naudain family. Dr. Arnold Naudain was frequently a delegate to the Presbyterian General Assembly. He died in Odessa January 4, 1872, aged eighty-two years.

Dr. James P. Lofland, a noted physician of Kent County, Del., was born in St. Jones' Neck, Kent County, in the year 1793. His father, Purnel Lofland, was a ship-builder and merchant, who intermarried with Mary Robinson, the daughter of a leading farmer of the Neck. When old enough to attend school, he was sent to the academy at Lewes, which at that time had quite a reputation as a place of learning. He afterwards graduated at the University of Pennsylvania, and entered the office of the celebrated Dr. Benjamin Rush as a student of medicine. He was associated with Dr. Franklin Bache, afterwards and for many years Professor of Chemistry in the Jefferson Medical College, in Philadelphia. After receiving his degree as a Doctor of Medicine, Dr. Lofland settled in the town of Milford, Kent Co., and was engaged in a large and extensive practice until within a year before his death, which occurred in Philadelphia, in August, 1852. Dr. Lofland acquired the reputation of a very skillful and successful physician and surgeon, and stood at the head of his profession in Delaware, being often called in consultation in various parts of the State. Perhaps no other physician of his time enjoyed a wider or greater reputation in the State. His handsome and commanding presence, his genial and courteous bearing and his great conversational powers made him many friends in all parts of the State, and, in fact, none knew him but to admire him. He had a high regard for the usefulness and dignity of his profession, and his charitable feelings and earnest attention to the poor endeared him to all classes, and when he died, he was regretted by all and mourned for as a personal friend. No matter what the circumstances were, in every instance he was prompt to respond to duty, and there are many to-day who cherish his memory as a public

¹ The pioneer of the Hall family in Delaware was Nathan, who had three sons—Colonel David Hall, who served in the Revolution; Peter, a lawyer; and Dr. Joseph Hall. On the mother's side was Dr. Henry Fisher, who had two sons, Henry and John. Henry Fisher was a pilot, and afterwards major in the Revolutionary army.

² Elias Naudin, a Huguenot, and an ancestor of Dr. Arnold Naudain, was naturalized in London, March 8, 1682. His family consisted of his wife, Gabriel Arnaud, and three children—Arnaud, Mary and Elizabeth. The Leroux family was also naturalized at the same time, and with the Naudins, came to this country about 1690. Elias Naudin's son, Elias, great-grandfather of Dr. Naudain, married Lydia Leroux, July 21, 1716. He purchased a very large tract of land near Odessa, about 1716, where he erected a substantial residence with English bricks and native oak, which is still in the family. Elias Naudin was a member of the first Presbyterian Synod in Philadelphia, in 1717.

benefactor. In those days there were not many clocks, as now, and it is said that his watch hung in more houses of the poor, both white and colored, than any other in the county. The same old watch is held as a memento and is now in the hands of a grandson who is preparing to follow the profession of his grandfather.

Dr. Lofland was never an active partisan in politics, but he connected himself with the old Whig party, and up to the time of his death yielded it an ardent and earnest support. He was a great admirer of Henry Clay, and an intimate and social friend of the Hon. John M. Clayton. The doctor served several terms in our State Legislature, and was once the Speaker of the Senate. His death created a void that was hard to fill. He left a widow and four children to survive him; two of the children still reside in Milford,—James R. Lofland and Peter L. Lofland. His widow and two of the children have died since,—one of them the late lamented Dr. Mark Greer Lofland, who succeeded his father in the practice, and gained an enviable position in the profession.

Dr. James P. Lofland took great interest in Masonry, and had great reputation among the craft as a lecturer; he filled almost every position from Master of a lodge to Grand Master of the State. His remains were followed to the grave by an immense concourse of people, and he was laid away with the honors of Masonry, and lies buried in the family grave-yard on a farm near Canterbury, in this county.

Dr. Joseph Hartshorne, the celebrated physician and surgeon, who died near Wilmington August 20, 1850, was born in Alexandria, Va., December 12, 1779. Richard Hartshorne, the pioneer of the family, settled on the highlands of the Neversink in 1669, and became one of the largest landholders in East Jersey. Dr. Joseph Hartshorne, at the age of five years, became a cripple for life. He was resident apprentice and apothecary to the Pennsylvania Hospital, Philadelphia, from 1801, and went as surgeon and supercargo of an East Indiaman in 1806. On his return, he graduated at the University of Pennsylvania (1808), and soon became eminent as a practitioner and surgeon. In 1815–1821 he was surgeon to the Pennsylvania Hospital, and was a member of the Philadelphia Medical Society, the American Philosophical Society, and the College of Physicians. He prepared and published "Boyer on the Bones" in 1806, with appendix and notes. Drs. Edward and Henry Hartshorne are his sons.

Dr. Samuel M. Fisler was born in New Jersey and removed from Port Elizabeth to Smyrna in 1820. He was a graduate of the University of Pennsylvania in 1819 and a member of the Delaware Medical Society in 1822. He married Susan

H., daughter of John and Susan Cummins, of Smyrna. His father was a physician and local Methodist preacher in Port Elizabeth, New Jersey, and a brother, Lorenzo, was a practicing physician in Camden, N. J. Dr. Samuel Fisler died in May, 1868, aged seventy-one years, and was buried in St. Peter's Cemetery, Smyrna.

Dr. Joseph B. Harris was born in Lewes about 1796, and was a medical practitioner of considerable local reputation. He was an active member of the Delaware Medical Society for several years and was a very prolific writer on medical topics. He lived at Smyrna and held the office of auditor of that town. In consequence of mental troubles he abandoned his profession and returned to Lewes, where he died.

Dr. Thomas James Boyd was born at Trappe (now Macdonough), New Castle County, Oct. 15, 1798. His father was John Boyd, a farmer and merchant, and his mother was Mary S., daughter of Thomas Read, D.D., of Wilmington. Dr. Boyd was highly educated and graduated in medicine from the University of Pennsylvania in 1818. He began practicing in Baltimore in 1820, and in 1821 was admitted to the United States navy as surgeon's mate. He was attached to the frigate "Constitution" on her cruise to the Mediterranean in 1821, during which the vessel was visited, among other foreign celebrities, by Lord Byron. In 1824 he was on the war sloop "John Adams" to the West Indies. In 1826, at the age of twenty-eight, he was surgeon of the frigate "Brandywine" on a cruise to the Pacific; was afterwards surgeon of the "Constitution" for a second cruise, and in 1836 was made fleet-surgeon. At intervals, up to this time, Dr. Boyd was on duty at the Washington, Philadelphia, and Brooklyn navy-yards, and his family lived in a handsome residence on Shellpot Hill, near Wilmington. Subsequently he was placed in charge of the Brooklyn Hospital, where he died of paralysis March 26, 1839, aged forty-one years. He was buried in the cemetery of the First Presbyterian Church, Wilmington. In 1824, Dr. Boyd married Mary Ann, daughter of Dr. George Monro, who, with five children, survived him. The latter were Mary Stanley, Harriet M., George Monro, William S. and Thomas James.

Dr. Wm. Draper Brinckle,¹ son of Dr. John and Elizabeth Gordon Brinckle, was born in St. Jones' Neck, Kent County, February 9, 1798. He was first placed under the care of a private tutor and subsequently completed his education at the Wilmington Academy and Princeton College. He began the study of medicine with his father

¹ Dr. Brinckle was the recipient of many testimonials, among them a silver vase from the commissioners of Spring Garden District, Philadelphia, for distinguished professional services as chief of the medical staff of Buttonwood Street Hospital, and member of the Philadelphia Board of Health during the cholera epidemic of 1832.

and was afterwards a student of the celebrated Dr. Physick, graduating in 1820 from the Pennsylvania University. He then practiced in Smyrna for a year, when he returned to Wilmington and removed to Philadelphia in 1825. From 1827 to 1839 he was physician at the Philadelphia City Hospital, on Bush Hill.

Dr. Brinckle was celebrated as a writer on medical, agricultural, and pomological subjects, and was a finished musician. He was president of the American Pomological Society and exceedingly popular in many spheres. He was a member of the Protestant Episcopal Church; a delegate to the Diocesan Convention, at Dover, in 1819; for several years a warden of Grace Church, Philadelphia, and for many years identified with St. James' Church in that city. He died December 16, 1872, and was buried in Mount Vernon Cemetery, near Philadelphia. He was married in April, 1821, to Sarah T., daughter of Henry W. and Adriana Physick, and niece of Dr. Philip S. Physick, in the parlors of the Dickinson house, the site of the present Wilmington Institute. Dr. Brinckle's children were William Henry, attorney-at-law in Philadelphia, deceased; John Dorsey, died, aged sixteen; Adriana Physick; Elizabeth Gordon, died in infancy; Caroline, died in infancy. His first wife died in 1830, and in September, 1832, he married Elizabeth Bispham, daughter of Benjamin and Abigail Reeves, of Philadelphia. Their children were Emily Reeves, married to Edward R. Shubrick; Virginia Gordon, married to Austin E. Brady; Mary Reeves, married to Edward Stewart; Clara Victoria; Benjamin Reeves, deceased; Abigail Reeves, died in childhood; and Fanny Rodney, married to Wm. R. Brinckle.

Dr. William Wells Wolfe was the son of Dr. Jacob Wolfe and Elizabeth, formerly a Miss Burton. Dr. Jacob Wolfe was killed by lightning in the court-house at Georgetown, Delaware, on the 16th of July, 1805, in the thirty-second year of his age. William Wells Wolfe was born July 22, 1799, near Lewes, Sussex County, Delaware. He received his early education at Lewes, Milford and Philadelphia; taught school for awhile in Milford and was principal of the academy at that place; studied medicine under the direction of his uncle, Dr. William Burton, afterwards Governor; entered the University of Maryland at Baltimore, and graduated in 1824. He was married February 2, 1826, to Miss Ann Hazzard, daughter of the Hon. David Hazzard, late Governor, and associate judge of the Superior Court of the State of Delaware. In July, 1823, he became a member of the Methodist Episcopal Church, and remained an active and faithful member until his death. Dr. Wolfe located in Milton and remained there. He was remarkable for the purity of his life and his devo-

tion to his profession. He died March 27, 1866, and was buried in the cemetery of the Milton Methodist Episcopal Church.

Dr. William Collins, son of William Collins, was born at his father's farm, near Smyrna. His mother was Nancy, daughter of James Bellack. Dr. Collins studied medicine under Dr. S. M. Fisher. He was a graduate of the University of Pennsylvania in 1823 and a member of the Delaware Medical Society. He gave promise of becoming eminent in his profession, but died at the age of thirty-six. His remains were buried at the Protestant Episcopal cemetery at Smyrna.

Dr. Elisha Sheekley Rickards was born in Milford in 1799, and died in Baltimore, while on a visit, November 13, 1882. He was the only son of Molton Rickards. He was educated in Milford and a graduate of the Medical Department, University of Pennsylvania. He married Margaret Leland and located in Georgetown, Delaware, where he practiced medicine thirty years. He removed to Philadelphia in 1851 and continued his professional career. He was a member of the Delaware Medical Society and the American Medical Association.

Dr. William Bonwill¹ was the son of Michael Hall and Mary Moore Bonwill, who settled in Delaware from Maryland in 1790, and established the Leamington Mills. William was one of four children who were born here, and he did not have the advantages of a good education. He, however, overcame this difficulty by his energy and perseverance, and after reading medicine with Dr. Lofland, of Milford, obtained his diploma from the University of Pennsylvania. He began a successful practice at Camden, this State, and married the widow of Dr. Ezekiel Cooper. Of his three children, Dr. Bonwill named one William Gibson in recognition of the kindness of Professor Gibson, of the University of Pennsylvania, who had befriended him in a former financial extremity. In 1849, after the death of his wife, he removed to Philadelphia, but soon returned to Delaware, where he died in 1864. Dr. Bonwill was of a very inventive turn of mind. He constructed a church organ and suggested several other important appliances.

Dr. William Alexander Tatem was born in Philadelphia, June 10, 1800. He was the son of Samuel Tatem, a tailor. His mother was formerly Mary Alexander. Dr. Tatem's youth was spent on a farm, but at the age of twenty years he was led to study medicine, through the death of a friend from what he believed to have been unskillful treatment. He read medicine with Drs. Charles B.

¹ The Bonwill family were originally from Normandy, and in the time of William, Duke of Normandy, and later in English history, were conspicuous. When Henry VI. was made a prisoner at the battle of Southampton he was placed in charge of William, Lord Bonville, who was captured at the second battle of St. Alban's and beheaded.

Fithian, of Woodbury, N. J., and Joseph Parrish, of Philadelphia, and graduated in 1823. He began practice at Frederica, removed in 1827 to Denton, Maryland, and in 1852 settled in St. George's permanently. He was a member of the Delaware Medical Society from 1824, and a strict Presbyterian. In 1818 Dr. Tatem married Miss Maria West. He died in March 27, 1877, and was buried in St. George's Cemetery, in New Castle County. His first wife dying in 1819, he was married again, May 19, 1824, to Miss Martha W. Tabele, whose children were Phæbe; Ann H. wife of Prof. I. W. Mears, of Union College; Wilhelmina, widow of Dr. Wm. M. Tilden; Anna L., Benjamin H. and three others who died in infancy.

Dr. Robert Hiram Griffith, son of Seth Griffith, was born in Concord, Sussex County, in 1800. His mother was Anna Houston, daughter of Robert Houston, of Sussex. From the age of thirteen years, Dr. Griffith lived with and was educated by his uncle at Cynthiana, Kentucky. He returned to his native place in 1822 and finished reading medicine with his cousin, Dr. Francis Phelps, of Federalsburg, Md., graduating at the Baltimore Medical College in 1824. He practiced successfully at Laurel, Sussex County, until 1836, when he went West and settled first at Palmyra, Missouri, and then in Hannibal, where he served four years as receiver of public money of the land office. He died January 4, 1864, leaving a large estate. His remains were interred in the Riverside Cemetery, at Hannibal. In 1828 Dr. Griffith married Miss Mary A. Houston, eldest daughter of John and Elizabeth Houston, of Concord, this State, who shared his estate with Mrs. Ann Ellegood, of Concord, sister of Dr. Griffith.

Dr. Wm. W. Baker settled in Wilmington from Chester County, Pennsylvania, and joined the Delaware Medical Society in 1822. He had a large practice and stood high in the ranks of his profession.

Dr. George R. Baker was a younger brother of Dr. William W. Baker. He was born in Pennsylvania, settled in Wilmington and joined the Delaware Medical Society in 1841. He was a graduate of the University in 1836 and died at the age of forty-five.

Dr. John Owens was born at St. Johnstown, Sussex County. He read medicine with Dr. Joseph Sudler, of Milford, and commenced practice in that place about 1807. In 1809 he married Mary James, the daughter of Isaac James, a tanner, of Milford, who was considered one of the prosperous men in that community. Dr. Owens died April 15, 1845, and was buried in the Protestant Episcopal Church-yard in Milford, leaving nine children,—William Henry, John, Edwin, Mary Jane, John, Frederick J., Isaiah, Franklin and Sally.

Frederick is a physician at Vernon, Kent County. Dr. Owens' wife and one daughter were legatees under the will of Col. Benj. Potter. Mrs. Owens died two years after her husband's death.

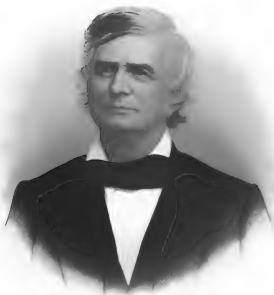
Dr. John D. Perkins was a graduate of the University of Maryland, and in addition to practicing medicine, was a Methodist local preacher. He removed to Smyrna, and was greatly respected in his dual character. He joined the Delaware Medical Society in 1824. In his later years his mind became impaired. He left a widow and five children, one of whom is a practicing physician in Philadelphia.

Dr. James Couper, son of Dr. James Couper and one of the most prominent of Delaware's practitioners, was born in Christiana, October 3, 1803, but a few years later removed with his parents to New Castle. He was educated in Newark, and in New Garden, Pa., and in 1824 graduated from the University of Pennsylvania Medical School. Dr. George McClellan was his preceptor. Dr. Couper began practice near Downingtown, Pa., but soon returned to New Castle, where he ranked among the leading physicians. He was one of the most active members of the Delaware Medical Society, and represented that body repeatedly in the American Medical Society, of which he was a vice-president. He was a zealous member of the Presbyterian Church. Although at one time in comfortable circumstances, he was one of the sufferers by the failure of the Bank of the United States. Dr. Couper died suddenly of heart disease, and his death was the subject of much regret in the community of which he had been a very popular member.

Dr. Robert R. Porter was born in Wilmington in the year 1811. He was a son of Robert Porter, founder of the *Christian Intelligencer*, and for many years editor and publisher of the *Delaware State Journal*, and one of the most influential and highly respected men of his day in Wilmington. The son obtained his preparatory education in the best schools of his native town, and in the famous academy of Rev. Dr. Magraw at West Nottingham, Chester County, Pa. Early in life he evinced great fondness for the profession of medicine, and after leaving school prepared himself for it with great assiduity. He entered the University of Pennsylvania and was graduated M.D. from that institution in 1835. Immediately after his graduation he entered the Philadelphia Almshouse Hospital, afterwards called Blockley, and there enjoyed the medical and surgical teachings of the professors of the University of Pennsylvania. Subsequently he was elected resident physician of the Frankford Lunatic Asylum, and while there prepared and published in the *American Medical Journal* his observations on the condition and treatment of those under his care. While



Alfred R. T. 1880



Robert H. Porter



Robert H. Porter

in Philadelphia he assisted Dr. Morton in the preparation of the poem to his work on Phthisis Pulmonalis. In 1836 he returned to Wilmington and settled in practice, where as a young man of much promise, ardently devoted to his profession, he soon acquired a large and lucrative practice. Being also a man of enterprise and public spirit, sympathizing heartily with the interests of the community around him, he soon took a leading position in public affairs, but still continued his professional labors. He was elected a member of the State Medical Society in 1841; continued a member until his death; served as its president in 1858, and was repeatedly a delegate to the American Medical Association. He was a director in the Bank of Delaware for a long period, was a member of City Council for many years and served as chairman of the Financial Committee with the greatest fidelity of purpose. He became extensively engaged in real estate operations in the eastern part of Wilmington, purchasing many tracts of land, improved some of them and sold others on improvement contracts, requiring little or no cash payment and giving long credits. In all these contracts he was liberal and generous, seeking to benefit others as well as himself. Many men of small means thus secured homes through his courtesy and liberality.

During his long career as a physician in Wilmington he acquired an extensive knowledge of his profession, and won prominence as a practitioner. He possessed high professional honor, was uniformly courteous and polite toward the members of the medical fraternity, and was held in highest esteem by all with whom he associated. His life was marked by a conscientious devotion to the welfare of his patients, to the support of every enterprise that resulted in public good, and to the development of that broad principle of humanity that made the world better for having lived in it. Some of his personal characteristics were great equanimity of temper, affability of manner, kindness of heart and purity of character.

Dr. Porter was not only a diligent student of the modern works of his own profession, but was well versed in history and general literature. When the Delaware State Historical Society was about to be organized he supported the enterprise with all the enthusiasm of his nature. It was greatly through his efforts that the society was removed to its present rooms. His taste was cultivated, his reading extensive and his love of knowledge ardent. He collected about him a choice library in which he found a solace from the labors of his profession. Firm in his religious convictions and conscientious in carrying them out. For many years, until his death in 1876, he was a prominent member of the Hanover Street Presbyterian Church.

Dr. Robert Montgomery Bird,¹ the celebrated author, dramatist and journalist, was born in New Castle, February 5, 1805. He was educated at Germantown and was a medical graduate of the University of Pennsylvania, but did not devote any considerable portion of his life to that profession. A year after receiving his diploma he entered upon the literary career which afterward distinguished him. He resided in Philadelphia until 1839, when he removed to New Castle, where he lived until 1847. In the latter year he returned to Philadelphia and was associated with Morton McMichael in the publication and editorial management of the *North American and United States Gazette*. In 1841-43 he was Professor of Materia Medica in the Pennsylvania Medical College. He married Mary Eliza, daughter of Philip and Lucy Woodbridge Mayer, in July, 1837, and his only child was Frederic Mayer Bird, born June, 1838. Dr. Bird died of brain fever January 23, 1854, and was buried in Laurel Hill Cemetery, Philadelphia.

Dr. Alex. Lowber was born in Newark, October 4, 1805. He was the son of Thomas Lowber, merchant and farmer, of Frederica, and Catherine, daughter of Alexander MacBeth. Dr. Lowber received his education at the Newark Academy and from Enoch Lewis, a famous tutor of Chester County. Dr. Allen McLane was his medical preceptor, and his diploma was awarded by the Pennsylvania University in 1827. He entered upon his professional career at Greensboro', removed to Frederica in 1830 and settled in Newark in 1842. He was secretary of the Delaware Medical Society in 1834. On January 9, 1838, he married Adeline, daughter of Col. Henry Whiteley, and their children were Catherine, Dr. Alexander, Adeline Eugenia, and Mary Steele, who died in infancy. Dr. Lowber died August 26, 1883, and was buried in the cemetery of the Head of Christiana Church.

Commodore Jacob Jones, of whom a sketch will be found in the chapter on the War of 1812, was a practicing physician in Dover before he entered the Navy. He studied with Dr. James Sykes, Sr., whose sister he married.

Dr. William Harris practiced in Smyrna for several years, and subsequently removed to Lewes. He died in the latter place.

Dr. Edward D. Dailey was a resident of Smyrna, and a member of the Delaware Medical Society in 1854. He was a surgeon in the late Civil War; now dead.

Dr. John Brinckloe, who practiced in Milford, was a member of the House of Representatives

¹ Dr. Bird was the author of "Calavar, the Infidel," "Hawk of Hawk-Hollow," "Nick of the Woods," "Sheppard Lee," "Peter Pilgrim" and "Robin Day," and dramatized "The Gladiator," "The Broker of Bogota," "Oralooza," "Metamora" and "Pelopidas."

1. The first group of variables, *demographics*, includes age, sex, and marital status. The second group, *education*, includes years of schooling and highest grade completed. The third group, *employment*, includes whether the respondent is employed, the type of job, and the number of hours worked per week. The fourth group, *income*, includes the respondent's annual income and the number of people in the household. The fifth group, *health*, includes whether the respondent is in good health, whether they have a chronic condition, and whether they have a disability. The sixth group, *social capital*, includes whether the respondent is a member of a community organization, whether they have a strong sense of community, and whether they have a strong sense of civic responsibility. The seventh group, *attitudes*, includes whether the respondent is pro-environment, whether they are pro-sustainability, and whether they are pro-social responsibility. The eighth group, *behaviors*, includes whether the respondent recycles, whether they conserve energy, and whether they use public transportation. The ninth group, *values*, includes whether the respondent values the environment, whether they value sustainability, and whether they value social responsibility. The tenth group, *demographics*, includes age, sex, and marital status. The eleventh group, *education*, includes years of schooling and highest grade completed. The twelfth group, *employment*, includes whether the respondent is employed, the type of job, and the number of hours worked per week. The thirteenth group, *income*, includes the respondent's annual income and the number of people in the household. The fourteenth group, *health*, includes whether the respondent is in good health, whether they have a chronic condition, and whether they have a disability. The fifteenth group, *social capital*, includes whether the respondent is a member of a community organization, whether they have a strong sense of community, and whether they have a strong sense of civic responsibility. The sixteenth group, *attitudes*, includes whether the respondent is pro-environment, whether they are pro-sustainability, and whether they are pro-social responsibility. The seventeenth group, *behaviors*, includes whether the respondent recycles, whether they conserve energy, and whether they use public transportation. The eighteenth group, *values*, includes whether the respondent values the environment, whether they value sustainability, and whether they value social responsibility.

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On the other hand, the fact that the *in vitro* and *in vivo* results are in good agreement indicates that the *in vitro* model is a good approximation of the *in vivo* situation. Moreover, the *in vitro* model is a good approximation of the *in vivo* situation.

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For the purpose of this study, the following criteria were used to select the cases: (1) the case must have been published in a peer-reviewed journal; (2) the case must have been published in the English language; (3) the case must have been published in the last 10 years (1999-2009); and (4) the case must have been published in a journal that is indexed in the Social Sciences Citation Index or the Social Sciences Citation Index Expanded.

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Dr. L. G. O. Gerasimov, Kazan, U.S.S.R.



S. F. Vaughan

and of the Senate. He was Speaker of the Senate when he died, March 18, 1828, aged thirty-five years.

Dr. Thomas Mackie Smith was born in Philadelphia, June 27, 1809. He was the son of Francis Gurney Smith and Eliza, daughter of Thomas and Eliza Mackie. Dr. Smith was educated at the University of Pennsylvania, and also received his medical diploma from that institution, graduating in 1831. He served a year as resident physician of the Philadelphia Almshouse; in 1834 settled on the Brandywine, four miles above Wilmington. He joined the Delaware Medical Society in 1847, after returning from a trip to Europe for his health. In 1852 he died suddenly of rheumatism, from which he was a sufferer for years. He was buried in the Du Pont family cemetery. Dr. Smith was a conscientious member of Trinity P. E. Church, Wilmington, and was celebrated for his benevolence. He was married September 18, 1834, to Eleuthere, daughter of Eleuthere Irene and Sophie Madeleine Du Pont, who survived her husband twenty-four years. They had no children.

Dr. Charles Henry Black was born in Glasgow, New Castle Co., March 23, 1810. He was the son of Dr. Samuel Henry Black, of Glasgow, and Dorcas Armitage Middleton, daughter of Robert Lewden Middleton, and the grandson of David and Margaret (Ferris) Black. He was educated at the Newark Academy; read medicine with Dr. Allen McLane, of Wilmington, and graduated at the University of Pennsylvania in 1830. He settled in Delaware City in 1830; removed to New Castle in 1840 and was appointed clerk of the peace until 1850. While in New Castle he became interested in agriculture and made large purchases of land in New Castle County, which, in company with the late William Couper, New Castle, he was engaged in cultivating when he died, February 8, 1852. Dr. Black was a member of the Levy Court, trustee of the New Castle Commons, director of the Farmers' Bank of New Castle and held various other positions of trust. He was buried in the Episcopal Cemetery of New Castle. In January, 1837, he married Ann, daughter of John and Margaret (Wiley) Janvier, and left a family of eight children—John Janvier, Margaret Janvier, Dorcas Armitage, Charles H., Harriet Lawrence, William Janvier, Frank Middleton (deceased) and Samuel Henry.

Dr. Edward Dingle was the son of the Rev. Edward Dingle, rector of Christ Church, Snow Hill, Md. He studied medicine and settled at Dagsboro', where he died in 1841. He was one of the last judges of the Superior Court of the State under the Constitution of 1792, and a member of the Constitutional Convention of 1832.

Dr. Edward C. Dingle, a native of Kentucky,

was born about 1810, and brought, when quite young, to this State. He was the nephew of Dr. Edward Dingle, judge of the Court of Common Pleas of Kent County. Dr. E. C. Dingle was a graduate of the Jefferson Medical College, and was elected a member of the Delaware Medical Society in 1827. He began practice in Millsboro', Sussex County, and married a daughter of Paul Waples, of Dagsboro' Hundred. He removed to Philadelphia, and in 1845, while on his return, was taken suddenly ill at Milford and died. His remains were interred on the farm of his father-in-law. His daughter Emma survived him and is a resident of Texas.

Dr. James Schee Naudain, a member of the Delaware Medical Society from 1832 to '84, was the son of Hon. Arnaud Naudain, M.D., and Mary Schee, whose ancestor was Arnaud, the grandson of Elias N. and Ghael Arnaud Naudain, Huguenot refugees, naturalized in London in 1682. Dr. James S. Naudain was born in Dover, September 24, 1811. He was educated at West Point, and attended medical lectures in Baltimore and Philadelphia. He commenced the practice of his profession in Middletown, Del., where his father had previously been located for thirteen years, and prosecuted it with marked success. He married Ann E., daughter of James and Jemima Foard Blakiston, of Maryland, in 1832. After the death of his wife, Dr. Naudain made his home with his father, in Wilmington, where he died May 23, 1884, a year later, and was buried in the cemetery of Drawyer's Church.

Dr. Andrew Naudain, son of Andrew Naudain, of Kent County, was born December 30, 1812, and on the death of his mother, a month later, was adopted into the family of his brother, Dr. Arnold Naudain, with whom he subsequently read medicine, graduating from Jefferson College in 1836, and joining the Delaware Medical Society. He began practice near Dover, whence he removed to Philadelphia and engaged in other business. He married Virginia Chambers, of that city. Subsequently he located at West Farms, New York, and resumed practice. He died there in 1864, leaving three orphan children, his eldest daughter becoming the wife of Dr. Robie, of the State of Massachusetts.

John Vaughan, M.D., one of the most eminent physicians of his day, was born in Uwehlan township, Chester County, Pa., June 25, 1775. His grandparents, John and Ruth Vaughan, were both of Welsh descent, and resided in the same county. Joshua Vaughan, his father, married Jane Taggart, and during the period of the Revolution was deputy sheriff of Chester County, and custodian of the prison. In 1780 he became a member of the First Baptist Church of Philadelphia. In 1787 his membership was transferred to the church at



1881

the 1990s, the number of people in the world who are illiterate has increased from 1.1 billion to 1.5 billion. The number of illiterate people in the world is projected to reach 1.8 billion by the year 2015. The number of illiterate people in the world is projected to reach 2.1 billion by the year 2020. The number of illiterate people in the world is projected to reach 2.4 billion by the year 2025. The number of illiterate people in the world is projected to reach 2.7 billion by the year 2030. The number of illiterate people in the world is projected to reach 3.0 billion by the year 2035. The number of illiterate people in the world is projected to reach 3.3 billion by the year 2040. The number of illiterate people in the world is projected to reach 3.6 billion by the year 2045. The number of illiterate people in the world is projected to reach 3.9 billion by the year 2050. The number of illiterate people in the world is projected to reach 4.2 billion by the year 2055. The number of illiterate people in the world is projected to reach 4.5 billion by the year 2060. The number of illiterate people in the world is projected to reach 4.8 billion by the year 2065. The number of illiterate people in the world is projected to reach 5.1 billion by the year 2070. The number of illiterate people in the world is projected to reach 5.4 billion by the year 2075. The number of illiterate people in the world is projected to reach 5.7 billion by the year 2080. The number of illiterate people in the world is projected to reach 6.0 billion by the year 2085. The number of illiterate people in the world is projected to reach 6.3 billion by the year 2090. The number of illiterate people in the world is projected to reach 6.6 billion by the year 2095. The number of illiterate people in the world is projected to reach 6.9 billion by the year 2100.

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He was first employed by the U.S. Government in 1807 as Surveyor General of the Northwest Territory and was appointed Chief of the District of Columbia in 1816. He was also Surveyor General of the New England Territory.

and was interested in the welfare of the people living in the various classes of houses at that time in New Castle County, when, in 1890, he was elected to the office of county engineer. New Castle County is one of the poorest in the State, and the

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He was born in the City of New York, New York, on the 11th of January, 1841. He married Anna, daughter of John and Margaret Wiley, January 1, 1864. His wife died on the 11th of July, 1871.

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De H. et al. (1991) ont noté que l'absence de la

of the State of New York, and
 of the County of Westchester,
 before me, the undersigned, a Justice
 of the Peace for said County,
 appeared the within and above
 named John J. O'Connell, who
 acknowledged to me that he was
 the author of the within and
 above signed and attested
 instrument, and that he executed
 the same for the purposes and
 consideration therein expressed,
 and that he was duly
 advised of the contents and
 effect of the same.

Witness my hand and the seal
 of my office, this 14th day of
 December, 1906.

See also 100-101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 91

by **James Davidson, a member**

1. The first of these is the fact that the United States has a large and growing population of people who are not citizens of the United States. This is a result of the large number of immigrants who have come to the United States in recent years, and the fact that many of these immigrants are not naturalized citizens.

S. nardus was first recorded from the island of Sardinia in 1897. It was later found growing abundantly together with *S. nardus*.

and professor have been located in the
intense search with remarkable suc-

At the age of 17, he was married to a girl named Phyllis, daughter of James Good and Phyllis, of Marlborough, Mass. — a Quaker. Dr. Naughton and his father, in Wilmington, where :

Dr. Andrew N. Scott
Chair of King County

Dr. Arnold Naudain, 1892, and in the year he was elected into the

In 1980 and 1981
H. L. Harrison and
J. P. Harrison and
M. J. Harrison

1. The first step is to identify the main topic of the document.

John Young, M. M.
John Young, M. M.

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S. Vaughan

Brandywine; he was ordained pastor of this church, and also preached at Bethesda Church. He was an eloquent and impressive speaker, and loved and revered by his people. He died August 30, 1808.

Dr. John Vaughan, his son, was educated at Chester, where he was carefully taught the English branches, and obtained a knowledge of the classics. This acquirement was, however, rendered more perfect by his diligent and close attention to classical literature in after-life. He studied medicine with Dr. William Currie, of Philadelphia, and attended medical lectures at the University of Pennsylvania in 1793 and 1794. In March, 1795, he located for the practice of his profession at Christiana Bridge, in Delaware, where he continued until 1799, when he removed to Wilmington. His scientific attainments and success speedily introduced him into an extensive practice in Wilmington, and acquired for him a reputation which few men of his early age have ever had the good fortune to enjoy. Among his intimate friends were many persons of eminence and celebrity.

He was a corresponding member of the Philadelphia Academy of Medicine, honorary member of the Medical Society of Philadelphia, member of the American Medical Association, and an active member of the Delaware Medical and Philosophical Societies. Before the latter society, in 1799 and 1800, he delivered courses of lectures on chemistry and natural philosophy in the Town Hall at Wilmington. In 1802, when the yellow fever raged in Wilmington, he was unremitting in his care of the persons who were afflicted with that dread disease, being the only physician who remained during the continuance of that fearful epidemic.

The next year, at the request of the American Philosophical Society, he wrote a pamphlet entitled "A Concise History of the Yellow Fever." During the winter of 1806-7 his health became gradually impaired; his constitution naturally weak, was evidently yielding to the fatigue and exposure necessarily incident to a very extensive and laborious practice. In March, 1807, he contracted a severe cold, was attacked with a violent cough, which, after continuing for several days, developed into typhoid fever, and in the course of one week deprived medical science of a bright ornament and society of a highly-esteemed and useful member. He died March 25, 1807. His publications were an edition of Dr. Smith's Letters, a "Chemical Syllabus," and numerous communications on a variety of subjects to the *Philadelphia Medical Museum* and the *New York Medical Repository*. He also published "Observations on Animal Electricity," in explanation of the metallic operation of Dr. Perkins, the object of which was to explain the operation of the metallic tractors, for which he was a zealous advocate.

In manner and appearance Dr. Vaughan was sedate and thoughtful—but in his intercourse with the afflicted he was always affable and peculiarly kind and gentle. It was truly said of him, "the tears of the poor and friendless bedew his memory, for his bosom was the seat of humanity and feeling, kindness beamed in his countenance and active benevolence warmed his heart."

Dr. John Vaughan was married in 1797 to Eliza, daughter of Joel Lewis, marshal of Delaware. He left four children, of whom Dr. Joshua Franklin Vaughan was one. He was born in Wilmington, Del., in 1802, and, like his father, he adopted the profession of medicine, and practiced in Wilmington, having graduated from the Medical Department of the University of Pennsylvania in 1823. He married Louisa M. Sellars, and died in the year 1834, leaving one son, J. Frank Vaughan.

Dr. J. Frank Vaughan was born in Wilmington, Delaware, March 12, 1833; he was the son of Dr. Joshua Franklin Vaughan, above mentioned. He was educated in Wilmington.

He then entered the office of Dr. Henry F. Askew as a student of medicine, at the same time attending the regular course of lectures at the University of Pennsylvania.

He graduated from the Medical Department of said institution in 1854, and immediately commenced the practice of his profession in Wilmington. He was an active member of the Delaware Medical Society, continuing his membership even after he had ceased the practice of his profession; being very deeply interested in biological research, especially through the medium of the microscope.

In 1857 he married Mary, the only daughter of Benjamin Masden, a wealthy retired English gentleman. After his marriage, the Civil War breaking out, he devoted his time and ability to the furtherance of the Union, which he so greatly loved, holding many important and arduous positions during that most trying period. He was prominent in the formation of the Union League and was chosen its president, also serving as chairman of many committees, being always foremost and unflagging wherever his duty called, in season and out.

Under the severe strain consequent upon these duties his health gave way and he was forced to abandon his practice.

His health continued unimproved,—he suffered acutely from rheumatism, and finally, on July 15, 1866, he died, leaving a widow and three children—two sons and a daughter, named respectively, William, B. Masden, and Annie M.

Dr. Vaughan was a man of handsome presence and most charming manner, of sterling worth and integrity, and great kindness; he was honored

and admired by all, and loved by those who knew him well.

Dr. William H. Barr,¹ of Middletown, Delaware, was the son of Dr. Martin and Jane Adams Barr, of the same place. He was a graduate in medicine of the University of Pennsylvania in 1850 and immediately began practice in Middletown, and became a member of the Delaware Medical Society in 1873. Dr. Barr was identified with the Episcopal Church, and was celebrated for his piety and his success in his profession, to which he devoted all his time and energies. He died suddenly, on the 13th of May, 1884, and was buried in the Forest Cemetery. Dr. Barr never married.

Dr. Richard S. Culbreath was a native of Frederica. He studied medicine with Dr. Cloud, at Annapolis, Md., graduated and joined the Delaware Medical Society in 1841; removed to Smyrna and died in 1857. Dr. Culbreath left a widow and five children, one of whom, George S., was a surgeon in the United States navy, and was lost on the coast of North Carolina in that memorable storm in which the United States ship "Huron" was wrecked. His body was buried on the coast, and afterwards disinterred by his brother Richard and brought to Smyrna for interment in St. Peter's cemetery, by the side of John G. Black, his wife's father.

Dr. John Merritt was born at St. George's, New Castle County, March 21, 1816. He was the son of John Merritt, who was the first collector of the District of Delaware after the War of 1812, and during his life was engaged in responsible public positions. His occupation was that of a farmer. The family descended from the Swedes, and owned property in what was called Vance's Neck, in St. George's Hundred; his mother's maiden-name was Elizabeth Van Home.

Dr. Merritt was one of four brothers, all of whom were physicians. He was educated at the old Middletown Academy, studied medicine with Dr. Cuthbert S. Green, of Middletown, and received his diploma from the University of Pennsylvania in 1843. He became a member of the Delaware Medical Society and began practice in Middletown, where he remained until 1856, and was for several years president of the academy. In 1856 he was appointed consul to Tunis, but resigned in a year and returned to his practice in Middletown. In

1860 he was appointed clerk of the peace of New Castle County by Governor Burton, in which office he was retained by Governor Saulsbury. Dr. Merritt was a member of the Episcopal Church. He died suddenly of apoplexy and was buried at St. Anne's Church, Middletown. His wife was Sarah Elizabeth, daughter of Peter B. Delaney, of New Castle, to whom he was married in 1844. They had five children, of whom only one, John, survives.

Dr. Thomas Cahall, born at Burrsville, Kent County, Maryland, June 19, 1819, was the son of Archibald Cahall. He was educated at Denton, Md., and studied medicine with Dr. Gove Saulsbury, of Dover, graduating from Jefferson Medical College in 1848, when he located permanently at Frederica. He was a member of the Delaware Medical Society; was a State Senator from 1863 to 1867 and an influential member of the Methodist Episcopal Church. He died in July, 1885. Dr. Cahall was married, September 4, 1849, to Sarah A., daughter of Thomas and Elizabeth Sipple Vickrey, and their children are Thomas V. Cahall, a physician practicing in Dover, and Samuel Cahall.

Dr. Charles Edward Ferris,² born in Pencader Hundred, New Castle County, December 23, 1820, was the son of Jacob and Susan Whann Ferris. He was educated at the New London and Newark Academies and Delaware College; attended lectures in the Medical Department of Yale College and obtained his diploma from Jefferson College in 1849. He located at Newark, and in 1851 was elected Professor of Chemistry in Delaware College until 1858. In 1859 he removed to New Castle, established a drug-store and practiced medicine; in 1864 was appointed surgeon to the military hospitals, Alexandria, and afterwards attached to the Ninth Delaware Regiment, at Fort Delaware, as assistant surgeon, and was mustered out of service with that command in January, 1865. Dr. Ferris then returned to New Castle, where he remained until his death, March 30, 1881. He was buried in the Pencader Presbyterian cemetery. His wife, Maria Louisa, was the daughter of Samuel Garrett.

Dr. Benjamin F. Chatham was born in Mullica Hill, New Jersey, in 1821, and graduating from the Pennsylvania School of Medicine in 1846, settled at Leipsic, this State. Dr. Jump, of Dover, was his preceptor. In 1847 he became a member of the Delaware Medical Society. From Leipsic

¹ The male ancestors of the Barr family all bore the names of John or Martin. Their family dated back to the twelfth century. They were always Protestant, and belonged to the Albigenses. In 1590 they removed to the South of France, near Languedoc, and remained there until the revocation of the Edict of Nantes forced them to flee to England. There they met William Penn, and selling all the family jewels came with him to America, and settled in Pennsylvania, near Lancaster city. There they purchased thirty thousand acres of land. The head of the family, John Barr, built or purchased a mill, and during the Revolutionary War supplied Washington at Valley Forge with flour. John and Martin were born there. The latter studied medicine in Philadelphia with Dr. Benjamin Rush, graduated at the University of Pennsylvania in 1816, and settled in Middletown, where he died in 1874.

² On February 16, 1730, Robert Ferris, from the North of Ireland, bought from James Sykes two hundred and eighty acres of land in Pencader Hundred, which Sykes had purchased from John Welsh, and he from the original Welsh proprietors. This property is now in the possession of D. Brainerd Ferris, brother of Dr. Charles E. Ferris. Robert Ferris died in 1749; and his son William, who married Jane Steel, bought in 1750, of Henry Whiteside, a tract of land in Pencader Hundred of one hundred and fifteen acres, which is now in possession of William I. Ferris, his great-great-grandson. William Ferris died in 1760; his son, Jacob, married Kesia Sharp, and died in 1818. His son was the father of Dr. Chas. E. Ferris, who was the second of four children. He died February 22, 1858.



Charles

... and was ...

The first of these is a native of
 the island of Oahu, and
 was captured by the
 United States Navy
 in 1892. He is now
 in the custody of the
 United States Navy
 and is being held at
 the Naval Prison at
 the Naval Yard at
 San Pedro, Cal.
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 United States Navy
 and is being held at
 the Naval Prison at
 the Naval Yard at
 San Pedro, Cal.

The first of these was born at St. George's, New York, on 10 March 1816. He was educated at the University of the Holy Spirit for the priesthood and then at the West of 1842, when he was ordained into the priesthood. He was a priest in America until 1860, then he went to Sweden, and served parishes in the dioceses of Västerås and Skövde. He died at Halmstad in 1885. His mother's first name was Anna, with Västerås.

The Newell was a colorful character, and a when we spoke to him. He was educated at the old Andover Academy, studied medicine with Dr. Charles S. Green of Middletown, and received his diploma from the University of Pennsylvania in 1866. He became a member of the Denison Medical Society and was a lecturer in Middlebury, where he remained until 1875 and was afterwards vice-president of the association. In 1880 he was elected professor of the subject. In 1882 he was promoted to full professor, but resigned in a year, and returned to his private life in Middletown.

[illegible][illegible]

He was a member of the First Baptist Church of this city, and a physician. But he was somewhat of a reformer. He was a member of the Independent Church of this city, and of the First Baptist Church of Middletown. His wife was Elizabeth, the sister of Peter B. Johnson, of Middletown. He had five children, of whom only one, John, survives.

Dr. Thomas Chas. H. Bond, of Barstow, Cal., is County, Maryland, June 20, 1881, was born at Annapolis, Md. He was educated at the University of Maryland, and studied medicine with Dr. J. C. H. Bond, of Dover, graduating from the University of Maryland in 1885, when he received his M.D. degree. He was a member of the College of Physicians, Baltimore, Md., and an instructor in medicine at the Maryland College of Physicians, Baltimore, Md. He was married, September 4, 1885, to Julia A., daughter of Thomas H. Bond, of Annapolis, Md. He and his wife are now residing at Annapolis, Md., and are practicing medicine in the city of Annapolis, Md.

Dr. Charles Lewis and Peck, residing in the Hundred, New Castle County, Delaware, 1890, was the son of Samuel Lewis, of Leeds. He was educated in the New York and Newark Academies and University College, and gave lectures in the Medical Department of the latter, and obtained his degree in medicine from the same place in 1840. He lectured at Newark, and was elected Professor of Chemistry in the College until 1848. In 1850 he removed to the Episcopal Church, and during the same year, being in 1854 was appointed superintendent of the normal schools Alexandria, and father of the late Nathaniel Lawrence Robinson, M.D., as a general surgeon, and was married, at view with that command in the army, and is then returned to New Castle County, until his death, March 20, 1894. He was in the Episcopal Presbyterian community with, Maria Louisa, was the daughter of Captain A.

Dr. Benjamin F. Chatham was born in 1811, New Jersey. In 1837 he graduated from the Pennsylvania School of Veterinary Medicine at Philadelphia. He was his country's first veterinarian. In 1847 he was elected to the Delaware Medical Society, the

[illegible]



Lucian Chandler

he removed to Wilmington, and thence to Odessa, where he was made cashier of the New Castle County Bank. In 1867 he was appointed assistant cashier, and subsequently cashier of the Philadelphia National Bank. Dr. Chatham died in Nov., 1879. He was a member of the Fortieth Street Methodist Episcopal Church of Philadelphia. Dr. Chatham's wife was Elizabeth, daughter of Cornelius P. Comegys, late Governor of the State of Delaware, who still survives him. He left several children.

Dr. James W. Thomson was born in Virginia, and was a medical graduate of the University of Virginia. He removed to Wilmington about 1830, and soon obtained a good practice, which gradually increased until he ranked among the first physicians of that city. He also became interested in agriculture, and, with Manuel Eyre, of Philadelphia, purchased a large tract of land about three miles east of Wilmington. This speculation did not prove successful, and from various causes, Dr. Thomson's professional business declined, until, eventually, with broken health and impaired mind, he removed to Philadelphia about the year 1868. He died in 1882. He became a member of the State Medical Society in 1828, and in 1841 was elected president. He was president of the State Agricultural Society, and took an active part in the agricultural and horticultural exhibitions which were annually held in Wilmington. He married the daughter of Colonel Robinson, of New Castle County.

Dr. John Kintzing Kane was born in Philadelphia, December 18, 1833. He was the son of John Kintzing Kane, a native of Albany, New York, whose father was Elisha Kane, son of John and Sybil Kent Kane, and whose mother was Alida Van Rensselaer, daughter of General Robert Van Rensselaer. John Kintzing Kane, the elder, was a resident of Philadelphia, a lawyer and judge of the United States District Court for Pennsylvania, and his wife was Jane Duval, daughter of Thomas Leiper. Dr. John K. Kane was educated at the University of Pennsylvania. He spent a year in Maine with Alexander Dallas Bache, superintendent of the Coast Survey, and read medicine with Dr. John K. Mitchell and Dr. S. Wier Mitchell, graduating at the Jefferson College. He passed an examination before the Naval Commission at Washington, and sailed on the polar expedition sent out in 1854 to search for Dr. Elisha Kent Kane, his brother. The expedition used the government vessel "Rescue," in connection with the "Arctic," and after an absence of a year, returned with the celebrated explorer. Dr. John Kane, on their return, accompanied his brother Elisha to Cuba, and remained with him until he died. He then went to Paris to pursue his medical studies, and returned to Philadelphia

to practice. In 1861 he was appointed army surgeon at the Cairo (Illinois) Hospital, and subsequently surgeon at the Government Hospital at Chester, Pennsylvania, where he remained a year, attending to a private practice at Wilmington at the same time. In 1868 he was appointed surgeon of the Philadelphia, Wilmington and Baltimore Railroad Company; in 1876 was a commissioner to the Centennial Exhibition; and in 1879 was elected president of the Delaware Medical Society. Dr. Kane was highly educated, a finished linguist, very literary and domestic in his tastes, and was somewhat of a musician and artist. He was greatly esteemed as a physician and citizen. He died at Summit New Jersey, March 22, 1886, after ten days' illness from erysipelas. At the time of his death he was on a visit to a sick daughter. Dr. Kane was buried in the cemetery of the Old Swedes' Church. His wife was Mabel, daughter of Hon. James A. Bayard, to whom he was married October 1, 1863. Their children were Annie Frances, John Kintzing, Jean Duval Leiper, Florence Bayard, Elizabeth Bayard, James A. Bayard, John Kent and Robert Van Rensselaer.

Swithin Chandler, M.D., of Faulkland, was born in Mill Creek Hundred, New Castle County, Delaware, January 5, 1830. The Chandlers are supposed to have been Normans who went over to England with William the Conqueror. In the parish of Wilcot, in England, the records show the entries of marriages and baptisms dating back to 1568. George Chandler, the ancestor of the family in this country, left his home at Greathodge, Wiltshire, England, in 1687, with his wife Jane and seven children, named as follows: Jane, George, Swithin, Thomas, William, Charity and Ann. The father died at sea, December 13th of that year. Swithin, who was born Sixth Month 24, 1674, married Ann ———, and they had twelve children. The sixth, Swithin, born Tenth Month 1, 1715, married Ann Wilson, and they had eight children, the first being Esther, born Seventh Month 4, 1740. George, another son of the ancestors George and Jane, married Ruth Bezer in 1698. Their first child, George, married Esther Taylor in 1724, and *their* first child, Isaac, was born Tenth Month 30, 1732. He, being a great-grandchild of the ancestors, George and Jane, married Esther Chandler, also a great-grandchild of the same through descent from Swithin, one of the seven children who came from England.

Isaac and Esther had twelve children; the sixth, Swithin, born Fourth Month 1, 1769, married Ann Gregg, born Eleventh Month 14, 1774. She was a daughter of Abram and Mary Heald Gregg, and granddaughter of George and Mary Gregg. Swithin and Ann Gregg Chandler had eleven children, and the third, Thomas Jefferson, born Ninth Month 1, 1800, died May 15, 1872, married

Sarah Craig Yarnall, daughter of Ephraim and Mary Craig Yarnall and granddaughter of ——— Yarnall, whose ancestors were in Delaware County, Pennsylvania, in 1684. She was born Eighth Month 24, 1807, and died August 27, 1880. They had twelve children, four of whom are living. The second was Dr. Swithin Chandler, the subject of this sketch, and one of the sixth generation of descendants of George and Jane. The Yarnalls are also from an English family that came to the United States in 1684. Several generations of both Chandlers and Yarnalls have lived in Mill Creek Hundred and were members of the Society of Friends.

When between the ages of six and seven years our subject went to live with his grandfather, who died a year or two later. Young Swithin remained with his grandmother until he was sixteen years of age. He worked on a farm in 1846, spent the summer of 1847 in a grocery store in Wilmington, returned home in the fall and worked on a farm during the summers of 1848, 1849 and 1850, attending public schools during the winter seasons. In the fall of the last year he entered the academy of the Rev. Samuel A. Gayley, in Wilmington. He went to Dr. William Notson's office and drug store in December, 1851, and attended lectures at the Pennsylvania Medical College during the sessions 1852-53 and 1853-54, and graduated March 4, 1854, without missing a lecture. During his summer vacation of 1853 he taught a public school at Lebanon, Kent County, Delaware. In April, 1854, he left for Texas in a sailing vessel, and landing at Galveston, spent two months with Hon. Anson Jones, M.D., in Middle Texas, near Washington. Having returned home in August of the same year, he located at Hockessin, Mill Creek Hundred, in the October following, and engaged in the practice of his profession. He married Sarah Lindsey, December 24, 1856, and removed to Brandywine Springs (same hundred), April 13, 1857. His wife died January 4th, following. On January 29, 1863, he married R. A. Rubincame.

Dr. Chandler was a member of the Red Clay Creek Presbyterian Church, in which he was a ruling elder, and president of the board of trustees. He represented his church in the Presbytery of New Castle, and the latter body in the Synod of Baltimore. In 1858 he was elected clerk of School District No. 33, was re-elected in 1861, and served by successive re-elections until his death. In politics he was a Democrat, and was on that ticket as candidate for State Senator in 1866, when he was defeated by less than one hundred votes. In 1878 he was elected to the House of Representatives, and on the organization of that body was chosen Speaker. He was elected State Senator for four years in 1882, and re-elected to the House of

Representatives in 1886. During the four sessions of the Legislature he attended he repeated his college record, and never missed a roll-call. He was a member of the Delaware State Medical Society, of which he was secretary, vice-president, president, member of various committees and president of the Board of Medical Examiners. At the commencement exercises in 1863 he introduced an innovation by presenting a graduate in medicine a book instead of flowers, and his example has turned the tide in that direction. Dr. Chandler always took a lively interest in educational affairs and was a trustee of the Newark Academy. He was chairman of the Democratic County Committee, many times a delegate to the State Convention, and presided over that body. He was for years a member of the State and County Executive Committees of his party, and for many years served in the capacity of chairman. Dr. Chandler was a prominent Odd Fellow and Free Mason. In the former he served as District Deputy Grand Master of Delaware, and in the latter, to which he was admitted in 1870, he held important positions in the Blue Lodge, and served as Deputy Grand Master of the Grand Lodge of Delaware. He died of heart disease suddenly at his home, near Brandywine Springs, December 21, 1887. He was subject to attacks, and had been feeling unwell for some time, but the last attack was unexpected. He was buried on Christmas day. Over one thousand friends and relatives attended his funeral, many of his old associates in the Legislatures in which he had served participating. The services were conducted by the Rev. George Porter, and the funeral cortege proceeded to the Red Clay Presbyterian Church, where further services were held and interment made.

Following is a list of deceased members of the Delaware Medical Society, whose history could be obtained:

| | | | |
|---------------------------|------|------------------------|------|
| Alexander, Archibald..... | 1789 | Derrickson, W. B..... | 1834 |
| Adams, John..... | 1822 | Fisher, Samuel..... | 1798 |
| Adams, Levin H..... | 1830 | Fooks, Kendall..... | 1833 |
| Alrich, John..... | 1853 | Foulks, Charles T..... | 1846 |
| Andre, J. R..... | 1860 | Fisher, Daniel G..... | 1855 |
| Allsband, S. C..... | 1865 | Gemmell, Wm. McB..... | 1823 |
| Blindell, James..... | 1791 | Green, Cuthbert S..... | 1824 |
| Brown, Morris..... | 1796 | Garden, Wm. A..... | 1851 |
| Burton, John..... | 1812 | Green, Thomas H..... | 1862 |
| Barr, Martin..... | 1824 | Hall, Joseph..... | 1798 |
| Bryant, Thomas S..... | 1824 | Hill, John S..... | 1799 |
| Brinton, Geo. B..... | 1825 | Hudson, James A..... | 1830 |
| Brinckle, J. R..... | 1826 | Hall, James H..... | 1833 |
| Battle, P. B..... | 1827 | Handy, J. H..... | 1833 |
| Burton, William..... | 1830 | Heyward, Jacob F..... | 1831 |
| Barnow, Jarvis G..... | 1842 | Houston, J. M..... | 1854 |
| Burton, T. M..... | 1847 | Harris, J. C..... | 1862 |
| Burr, Nelson..... | 1850 | Hough, T. L..... | 1867 |
| Bries, J. S..... | 1855 | Hudders, Geo. W..... | 1867 |
| Colesbury, Henry..... | 1793 | Hearn, William J..... | 1867 |
| Cochran, R. E..... | 1811 | Jamison, Robert..... | 1799 |
| Clement, F. W..... | 1836 | Jones, John..... | 1792 |
| Crawford, Geo. W..... | 1837 | Johns, Arthur..... | 1811 |
| Cullen, Thomas F..... | 1847 | Jones, A. J..... | 1858 |
| Carter, Walter K..... | 1849 | Johnson, John..... | 1822 |
| Chaytor, Geo. W..... | 1851 | Jones, Geo. C..... | 1847 |
| Derrickson, James..... | 1822 | Jones, Charles W..... | 1857 |
| Derrickson, William..... | 1830 | Jackson, Louis D..... | 1859 |





Lewis P. Bush

| | |
|-----------------------|------|
| Johnson, William, Jr. | 1870 |
| Kemp, J. McK | 1868 |
| Lee, L. Hooker | 1789 |
| Lofland, James P. | 1851 |
| Lawa, Blitha | 1823 |
| Lister, James | 1824 |
| Lewis, Phosian P. | 1828 |
| Lofland, Mark G. | 1863 |
| Louiston, J. S. | 1826 |
| Macdonough, Thomas | 1789 |
| Molliston, William | 1789 |
| Miller, Matthew | 1789 |
| Marsh, John | 1789 |
| McMecker, William | 1789 |
| Maxwell, John G. | 1822 |
| Morris, John L. | 1823 |
| Moore, Jacob | 1824 |
| Murphy, Andrew | 1825 |
| McCaffrey, W. | 1826 |
| McKall, Leonard | 1827 |
| Mitchell, James R. | 1828 |
| Maxwell, William S. | 1830 |
| Murphy, Samuel | 1830 |
| Maxel, George W. | 1830 |
| McNabe, R. B. | 1835 |
| Miller, George McC. | 1836 |
| May, B. L. | 1838 |
| Maloney, W. B. | 1838 |
| Melvin, Walter | 1838 |
| Martin, J. A. | 1838 |
| Massey, James T. | 1871 |
| Needham, Ezekiel | 1789 |
| Norris, John C. | 1834 |
| Norris, George C. | 1862 |
| Nowland, James A. | 1862 |
| Preston, Jonas | 1789 |
| Polk, John | 1789 |
| Peterson, Henry | 1789 |
| Pollock, John B. | 1785 |
| Porter, Parlee | 1811 |
| Pleasanton, Samuel | 1826 |
| Price, Isaac M. | 1827 |
| Perkins, William S. | 1850 |
| Russell, Washington | 1825 |
| Richards, Elias S. | 1828 |
| Reynolds, Alexander | 1829 |
| Rogers, Julian | 1847 |
| Rogers, T. C. | 1857 |
| Reisman, L. S. | 1870 |
| Smith, Ebenezer A. | 1780 |
| Stout, Thomas M. | 1822 |
| Squib, T. J. | 1826 |
| Springer, J. | 1826 |
| Stuart, W. W. | 1842 |
| Smith, Thomas M. | 1847 |
| Sutton, James N. | 1848 |
| Sanborn, Albert H. | 1853 |
| Simpson, Joseph | 1854 |
| Sharp, Edward S. | 1855 |
| Sardis, Samuel S. | 1859 |
| Stafford, James J. | 1864 |
| Sharp, Wesley | 1866 |
| Shoemaker, E. B. | 1874 |
| Shibley, Joseph H. | 1880 |
| Thomas, Nathan | 1780 |
| Thomas, John C. | 1826 |
| Tennent, Henry | 1834 |
| Thompson, John A. | 1851 |
| Truitt, George R. | 1856 |
| Tracy, T. P. | 1867 |
| Travers, F. R. | 1869 |
| Thomas, C. B. | 1870 |
| Vanhoy, Abraham | 1813 |
| Wilson, Thomas | 1792 |
| Wilson, James F. | 1841 |
| Wate, Francis D. | 1824 |
| Waples, Peter | 1825 |
| Worrell, Edward | 1826 |
| Webb, — | 1831 |
| Willis, Henry F. | 1854 |
| Webster, Geo. W. | 1856 |
| Withbank, A. S. | 1858 |
| Walsh, F. W. | 1852 |
| Yan, M. | 1825 |

that date until the present time, January, 1888. In addition to the arduous duties inseparable from the profession of a physician, Dr. Bush has been appointed, and found time, to prepare many interesting and valuable papers upon various topics germane to his regular work. He has prepared and read before the State Medical Society of Delaware, of which he was president in 1860, thoughtful papers, "On Typhoid Fever," "The Life and Character of Dr. Edward Miller," "The Proper Registration of Births, Marriages and Deaths," "A Plea and Argument for the Continuance and Governmental Support of a National Board of Health at Washington," "A Report setting forth the Importance of the State Board of Health, and asking the support of the members for it," "A Report on the Amendments to the Charter of the State Medical Society," and one on the "Vital Statistics of the City of Wilmington from 1847 to 1877." Also sketches of the "Lives and Character of seventy-five deceased members of the State Medical Society." The doctor served as port-physician of Wilmington, and, at different times, for ten years, as a member of the Board of Health of Wilmington, for five years serving as president of it. He is a member and the corresponding secretary of the Delaware Historical Society, and also a member of the Pennsylvania and Virginia Historical Societies. He is the present president of the Delaware Bible Society. He is the president of the Association of Resident Physicians of Blockley Hospital, Philadelphia. In 1886 he was president of the American Academy of Medicine. At this time he is president of the Board of Managers of Delaware College. The Delaware Historical Society also has been the recipient of valuable papers from Dr. Bush's facile pen. He has contributed to it a sketch of the "Life and Character of Benjamin Ferris," another of the "Life and Character of Alexander Hamilton Rowan," a paper on "Iceland one thousand years ago," "A Report on the Seals of the State of Delaware." For the American Academy of Medicine he has prepared and submitted a paper on "Vaccination;" one on the "Delaware State Medical Society and its Founders in the Eighteenth Century;" one on the "Value of a Classical Education to the Physician and Student of Medicine," and while president of the academy, an address on the "best means of increasing the number of its members and the influence of the Academy." For the Delaware State Board of Health, he prepared papers on "The Hygiene of Homes," on "Malaria," and on "The Resuscitation of the Drowned." These abundant labors combine to prove that the doctor is devoted to his profession and earnest in his advocacy of all right and practicable efforts to promote its cultivation and ethics. In his religious life, Dr. Bush is an intelligent and influential member and elder of

¹ This sketch and the remainder of this chapter were prepared and inserted by the editor.

the Presbyterian Church, holding these local relations in the Central Presbyterian Church of Wilmington. In 1839 Dr. Bush was married to Maria, daughter of Morgan and Mary Hemphill Jones, and to them have been born seven children, viz: Mary Hemphill, who married the late C. Rodney Layton; Martha Potter, who married Henry Ward; Lewis Potter, Eugene Elmer, Alexis Kean, James Hemphill Jones and Florence. Of these William Ward and the two youngest children just named, survive, and have their homes in Wilmington.

In person, Dr. Bush is rather spare. He is five feet eight and one-half inches in height, active in his movements, of agreeable countenance and cultivated manners, in his carriage and courtesy perpetuating the refined deportment which marked the gentleman of the last generation. His general health is still good, and he is so highly esteemed as a skillful physician that he is not permitted by those who know him to withdraw altogether from labors, which have now been extended over half a century. As a consequence, he is still (1888) more or less active among the respected physicians and families of Wilmington.

Dr. James H. Wilson, of Dover, Kent County, Delaware, now one of the leading physicians in that section of the State, is of Scotch-Irish lineage. His ancestors about 1642 went with the Scotch emigration to the northern part of Ireland. William Wilson, the great-great-grandfather of the subject of this sketch, was born March 8, 1708; married to Ann Niell August 24, 1736; came to this country in 1737 and settled on a tract of land which he purchased in Kent County about eight miles south of Dover, where they reared a family of ten children. James Wilson, the eldest son of William and Ann Neill Wilson, was born on the ocean during an unusually prolonged voyage, June 18, 1737, while they were en route for America. On May 3, 1782, he married Elizabeth White. William Wilson, born of this marriage May 3, 1783, was the grandfather of Dr. Wilson. James Wilson died August 19, 1786; his wife Elizabeth survived him until March 18, 1812, when she died at the age of sixty-five years. Their son William Wilson married Ruth Cardean, a member of a prominent family of Delaware, of French descent. Their children were Sally Ann, Elizabeth White, John Cardean and William Niell Wilson. Sally Ann married a well-known citizen of this State, Thomas B. Coursey, candidate for Governor in 1810. Elizabeth White married McIlroy McIlvaine, of Magnolia, Kent County, whose land adjoined the tract upon which William Wilson, the founder, settled in 1737, known for more than a century as the "White House." William, the youngest son, died in 1853 in his twenty-third year.

John Cardean Wilson, father of Dr. Wilson, and

the eldest son of William and Ruth Cardean Wilson, was born July 21, 1817, and died November 22, 1876. He was an enterprising and progressive farmer in Kent County, took an active interest in State and National politics, and as a Whig was frequently nominated a candidate for the State Legislature when that party was in the minority in his county. He was a jovial, affable and popular man and always received more than the party vote. Subsequently, as a candidate of the Democratic party, he was twice elected a member of the Delaware House of Representatives. By his first marriage with Susan Hopkins, daughter of James and Mary Coomb Hopkins, he had two children, Dr. James H. Wilson and Samuel Coomb, who died an infant. His first wife died in 1845, at twenty-two years of age. He was subsequently married to Elizabeth Satterfield, by whom he had eight children. The following survive: William S, residing in Dover; Arthur in Philadelphia; Charles B. and Ella reside with their mother on the homestead in Kent County.

Dr. James H. Wilson was born in Kent County, Delaware, June 3, 1842. After leaving the schools in the vicinity of his birth, he entered the Smyrna Academy, taught by Rufus Sanders. He next attended the Fort Edward Institute in Washington County, New York, an institution which has educated a great many prominent men. Having completed his preliminary education, he returned to his native State and began the study of medicine under the instruction of his uncle, Dr. Benjamin C. Hopkins, at Felton, Delaware. In 1863 he entered the Medical Department of the University of Pennsylvania, attended four full courses of lectures, graduating in 1867. Dr. Wilson then began the practice of medicine in Philadelphia, and in the meantime took a post-graduate course of one year each at the University of Pennsylvania and Jefferson Medical College, which gave him superior advantages for a thorough preparation for his profession. He remained seven years practicing in Philadelphia, during which time he was also physician to the Northern Dispensary and city physician. Health failing, he came to his native State to recuperate, and after fully recovering settled in Dover in 1877, and has since devoted all his time and attention to the duties of an extensive and successful practice in the State Capital and over a large area of the surrounding country. Dr. Wilson is a diligent student of the modern literature of his profession, and is an expert and skilful surgeon. While a resident of Philadelphia he was an active member of the Pathological Society and Northern Medical Society of that city, and is now an honorary member of both. Since 1872 he has been a member of the Delaware State Medical Society, and since 1874 surgeon for the Pennsylvania Railroad Company. On December 11,



17

the family, including these local relatives, are now in Kent County, Del. William Wilson, the youngest son of Dr. Wilson, was married to Mary Ann Jones, daughter of William Jones, of Kent County, who was married, the first time, to William Weston Porter, who married Susan Porter's sister, Eugene Porter, Alexis Porter, and George and George H. Jones and Fouché. Of the family of Wilson, the two youngest grand-children still survive, and have their homes in Kent County.

Dr. James H. Wilson is an octogenarian. He is not only a physician, but has a delight in the statements of his grandsons, and is particularly interested in the average and courtesy being shown the colored population, which marked the celebration of his jubilee. This grand-son is still good and well, so much interested as a student in research that he is not permitted by those who believe in withdrawing altogether from patients, whose legs have been extended over half a century. As a consequence, he is still, 1888, one of the active and respected physicians and teachers of Wilmington.

Dr. James H. Wilson, of Dover, Kent County, Delaware, now one of the leading physicians in that section, was born in Scotland, Irish lineage. His ancestors in 1742 went with the Scotch generation to the continent of Ireland. William Wilson, the grandfather, on the 1st of November, 1768, sailed for America, and on March 8, 1768, married to Ann Neill, August 24, 1769, came to this country, in 1770, and settled on a tract of land in the northern part of Kent County about eight miles south of Dover, where they resided many years and where James Wilson, the son, and William and Ann N. Wilson, was born on the ocean during an unusually protracted voyage, June 18, 1767, where they were en route for America. On May 3, 1770, the vessel of Patrick Wilson, William Wilson, brother of this James Wilson, 1782, was the grandfather of Dr. Wilson. James Wilson and August 9, 1780, he was killed, decapitated, and March 18, 1781, he died at the age of sixty-five years. Their son William Wilson married Sarah Chilton, a daughter of a poor, nameless Irish Doctor, of Philadelphia. Their children were Sally Ann Elizabeth White, daughter of William Neill Wilson, now John George Fawcett, now in the State of Texas; P. C. Wilson, and John George, in 1810, Thomas Wilson married Mary McPherson, of Maryland, Kent County, whose father owned the tract on which William Wilson, the grandfather, settled in 1770, and who came from a country called "White Horse." William, the youngest son, did not marry until he was thirty.

On April 1, 1800, at the age of 19, Wilson and

the eldest son of William and Ann Chilton, a son, was born July 21, 1807, and died September 22, 1846. He was an attorney, and lived the greater part in Kent County, but also resided most in Delaware. No formal education, and was generally considered a common school education. He was a member of the Legislature when that body was composed of farmers only. He was a journalist, and a common hand and always a devoted member of the vote. Subsequently, as a member of the Legislature, he was twice elected a member of the Delaware House of Representatives. He married first, Susan Hopkins, daughter of Mr. and Mrs. George Hopkins, he died. Mr. James H. Wilson and Susan Hopkins died an infant. His first wife was 31 years of age at two years of age. He was soon married to Elizabeth Satterthwaite, a widow, eight children. The first wife, Elizabeth, died in 1846, leaving in Dover, Virginia, a son, Charles Richard Wilson, with his mother, the homestead in Kent County.

Dr. James H. Wilson was born in Dover, Delaware, June 1, 1812. At the age of 16, in the vicinity of his birth, he was educated by a private tutor, Ramsdell Stevens. He attended the Port Howard Institution, West County, New York, at first, for one year, and a great many prominent men. He passed his preliminary examination in his native state, and began the study of medicine under the instruction of Dr. C. H. Haskins, of Faison, Delaware. In 1834, he joined the Medical Department of the University of Pennsylvania, attended four semesters, graduating in 1837. Dr. Wilson then practiced medicine in Philadelphia, and in the meantime took a postgraduate course in the University of Pennsylvania, and at the Medical College of Washington, D. C., for a thorough preparation for a thorough professional session. He returned to Philadelphia, during which time he was elected to the National Dispensary, then, Haskins failing to accept the opportunity, and was elected to Dover in 1857, and has since practiced the highest and most successful practice in the State. One of the great areas of the State, for the son is now a great State physician. He is a physician, and a surgeon. William Wilson, president of the Delaware Medical Association, and a member of the American Medical Association, has been a member of the Delaware Society, and since 1848, a member of the Philadelphia College of Physicians.



J. H. Wilson

1867, Dr. Wilson was married to Sarah Emily McIlvaine, the daughter of McIlroy and Elizabeth White McIlvaine. Both he and his wife are members of the Methodist Church in Dover. In politics he is a Republican.

Dr. Wilson, his brothers and sister are the only members of the family bearing the Wilson name in Delaware. Hugh, the son of Hugh, and great-grandson of William Wilson (the first American settler), in 1835 moved to Indiana and settled on the present site of Fayetteville, Fayette County, which county town is built on land formerly owned by him. He accumulated a large amount of property.

Ebenezer, another great-grandson, and Ann Neill, the great-granddaughter of the first William, moved to Iowa in the same year, where the family at the present time is quite large.

HOMŒOPATHY.

The Homœopathic school of physicians follows the theory and practice first adopted by Samuel Hahnemann, a native of Germany, who was born at Meissen, in Cur Saxony, April 10, 1753. He passed several years at Stadtschule, and at the age of sixteen began to attend the Furstenschule of Meissen, where he remained eight years. His father was poor and frequently took him from school, but his teachers encouraged their ambitious pupil and gave him instructions free of charge. He entered Leipsic with twenty crowns in his pocket, the last money ever received from his parents. He was robbed of the greater portion of this money and being thus thrown upon his own resources, supported himself for two years at the University by translating celebrated works into German. In order to accomplish this he was in the habit of sitting up altogether every alternate night. He subsequently studied at Vienna with Dr. Quarin, and practised in the hospital for two years. Thence he went to Hermanstadt as a private physician, and afterwards to Erlangen where he took the degree of Doctor of Medicine, August 10, 1779. He practised at various places until 1789 when he returned to Leipsic and applied himself with his accustomed energy to the study of medicine, chemistry and kindred subjects. He wrote eighteen treatises, and made many experiments. He observed that Peruvian bark, a well-known specific for intermittent fever, when taken in large doses produced a condition similar to the disease. He tested a number of drugs, convinced himself and advanced the theory that a remedy which would cure a certain disease would also produce a disorder very similar to that disease in a healthy person, and that the reverse was equally true—that a drug which produced a certain disease in a healthy body would cure it in a sick one. From experiments which he made

upon himself and induced others to make he was led to found the system of medicine which he termed homœopathia, a term derived from two Greek words *homoios* (similar) and *pathos* (feeling or suffering).

Many German physicians tested the principles of Hahnemann, and afterwards advocated them. Dr. Hahnemann devoted himself to his profession, wrote ten volumes of the "Materia Medica Cura," and attended to a large practice, effecting cures on persons of eminence in promulgating the theory of minimum doses. His greatest work is entitled the "Organon of Rational Medicine," which has always been and doubtless will continue to be a text-book of the homœopathic profession. In 1831 he rendered efficient service during the prevalence of the cholera, and in 1836 he left Leipsic to reside with the Duke of Coëthen, where he perfected his system. During his residence at this place he cured Mademoiselle D'Hervilly Gohies, a member of a prominent family of France, of a dangerous malady and married her when he was eighty years of age. He removed with his wife to Paris where he died July 2, 1844, aged eighty-nine. He had a slender body, but his head was large and well proportioned, and he was known among his contemporaries as a man of fine intellect.

Homœopathy was first introduced into the State of Delaware by Dr. J. C. Gosewisch, a graduate of the North American Academy of the Homœopathic Healing Art, at Allentown, Pa. Dr. Gosewisch settled in Wilmington in August, 1839. The law of the State provided that no person not a practitioner prior to February 4, 1802, should practice medicine or surgery or collect fees therefor without having obtained a license from a Board of Examiners, which board consisted of three members of the State Medical Society. Dr. Gosewisch passed a satisfactory examination, but the next day he received an official communication refusing to grant him permission to practice. This action of the board led the friends of homœopathy to send a petition to the next legislature resulting in the passage of an act exempting physicians of the Thomsonian, Botanic and Homœopathic systems from examination by this board. Dr. Gosewisch after having fought the pioneer battle for the homœopathic system died in May, 1854. Dr. J. Richardson Andrews, the pioneer of the system in Camden, N. J., was in Wilmington a few months in 1843. Doctors Harlan, Negendank, Thomas, Tantum and others came after Gosewisch, and carried on a controversy with the allopaths for a number of years through the medium of public debate and newspaper discussions, until the system had become established in the State. In 1876 there were nine homœopathic physicians in Wilmington and about twenty in the State. There are now

sixteen in Wilmington and quite a number throughout the State.

The organization of a State medical society by the homœopathic physicians was attended by many difficulties. About the year 1868 the first society was formed with August Negendank president, and Drs. Kittinger, Tantum, Anderson, Shaw, Thomas, Isaiah Lukens and Quinby members; but, as its president declared, it died a natural death. Afterwards the Delaware State Society was organized by Drs. Kittinger, Lukens, Lawton, Curtis and others, and also resulted in a failure. The third and successful movement was made in 1883, when the homœopathic physicians of Wilmington issued a call for their colleagues throughout the State and Peninsula to meet in Wilmington on Thursday, January 10th, 1884, for the purpose of organizing a medical society. To this the following responded: Drs. A. Negendank, L. Kittinger, L. A. Kittinger, Isaiah Lukens, J. Paul Lukens, J. M. Curtis, C. H. Lawton, J. Harmer Rile, Peter Cooper, A. E. Frantz, S. Chadwick, of Wilmington; and J. W. Crumbaugh, of Hockessin; C. O. Swinney, of Smyrna; and T. H. Cooper, of Chestertown, Maryland, and letters of sympathy and encouragement were sent by Dr. Dawson, of Milford; Dr. Kennedy, of Middletown, and others. This meeting resulted in the formation of the present "Homœopathic Medical Society of Delaware and the Peninsula." The officers elected were L. Kittinger, president; T. H. Cooper, vice-president; J. Harmer Rile, recording secretary; J. Paul Lukens, corresponding secretary; W. F. Kennedy, treasurer; Messrs. Negendank, Swinney and Crumbaugh, censors; J. M. Curtis, delegate to the American Institute of Homœopathy.

On January 8, 1885, the society again met in Wilmington, and J. W. Crumbaugh was elected president; and on January 13, 1886, the society again convened and A. Negendank was chosen as the executive. At the latter meeting the date of the annual meetings was changed to November.

On November 11, 1886, the society held a very interesting and successful meeting at Dover. A number of new members were received, and a rule was adopted referring candidates who desire to read medicine with any member of the society to a board of examiners, whose duty it was to examine all such applicants as to their educational fitness to study medicine. The officers chosen for 1887 were J. G. Dawson, president; Peter Cooper, vice-president; I. M. Flinn, recording secretary; R. K. Colley, corresponding secretary; A. E. Frantz, treasurer. The members of the society are Drs. A. Negendank, E. T. Negendank, L. Kittinger, L. A. Kittinger, J. M. Curtis, C. H. Lawton, J. H. Rile, J. P. Lukens, S. Chadwick, A. E. Frantz, Peter Cooper, L. W. Flinn, I. M. Flinn, J. W. Crumbaugh, J. W. Cooper, T. H. Cooper, W. C. Kars-

ner, W. Urie, C. O. Swinney, J. G. Dawson, W. F. Kennedy, E. S. Anderson, J. Smith, J. Moore, E. B. Fanning, W. D. Troy, R. K. Colley.

The officers for 1888 are Peter Cooper, president; E. S. Anderson, vice-president; I. M. Flinn, recording secretary; R. K. Colley, corresponding secretary; A. E. Frantz, treasurer.

Caleb Harlan, M.D., was born in Milltown, Mill Creek Hundred, New Castle County, October 13, 1814. His father, John Harlan, was born in the same place, August 31, 1773. He was, therefore, forty-one years old when his only child was born. He belonged to the Society of Friends. The doctor studied medicine three years and graduated at the old University of Pennsylvania in March, 1836. From his mother, Elizabeth (Quinby) Harlan, he inherited a very frail constitution, which compelled him, while a student, to live on a very low diet, and to travel on foot a thousand miles. At the age of twenty-one he began the practice of medicine near the Brandywine Springs, and established his health by riding eleven years through the country in the discharge of his professional duties. By careful attention to fresh air and proper diet he has been able to practice over fifty years without the loss of a day from sickness. While residing in the country he became a convert to homœopathy. In 1847 he moved to Wilmington to practice the new system. Here he met with such opposition that he was induced to publish "A Lecture on Allopathy and Homœopathy." This was noticed by the eminent Dr. Herring, in his periodical, in the following terms: "Very ably written; full of interesting remarks, and a great many new ideas."

In 1863 the doctor purchased Plumgrove farm, a few miles from the city, and required his farmer to plow in green crops for manure. These experiments, continued for years, were so satisfactory that the doctor wrote a work upon the subject, which sold freely all over the country. A second edition, revised and enlarged, has since been published in a handsome volume, with a portrait of the author, by J. B. Lippincott & Co. Being a full treatise on farming with green manures, "this volume," it is said, "has no equal in Europe or America." It is in demand as a text-book and as a book of reference upon the subject of which it treats.

Dr. Harlan is very fond of polite literature, and while living in the country he wrote "Elflora of the Susquehanna" and "The Fate of Marcel." In Wilmington he wrote "Ida Randolph." "Elflora" is a poem in the heroic couplet, which Byron says "is perhaps the best adapted measure to our language." The doctor's poetic taste, endorsing this judgment of the well-known poet, selected this measure for his own favorite work. One is constantly reminded, as he reads "Elflora," of that



W. Hartland



C Harlan M.D.

graceful flow of verse which is so attractive in Campbell's "Pleasures of Hope." Of the general character of this work as a poetical production some idea may be had by the perusal of a portion of the impassioned utterances of one of her admirers, who vainly hoped to captivate the heart of Elflora by the seizure and incarceration of her beautiful person. After her imprisonment in a secluded cave, Marcel, her ruffian captor, tries to move her to admiration by saying, . . .

"The dark-eyed daughters of chivalric Spain,
And all of Grecia's honored old domain,
The maidens of Italia's rosy land,
The dames who tread Ciræa's lofty strand,
The noble Briton, and the Frank less free,
Whose stars of beauty burn beyond the sea,
Do not possess, in form nor earthly shrine,
A soul whose flashes lighten brows like thine."

The effect of this extravagant adulation upon the beautiful, heroic captive is expressed in similar rhythm, as follows:

"Enough! enough! for all that thou canst say,"
Exclaimed the maiden as she turned away,
"Shall not avail thee, never change my mind,
Though servile praises be with force combined.
I do disdain thee, and I fear thee not;
I scorn thy homage, I despise this plot.
Stand back! Hands off! I am not in thy power!
Alone I am not in this trying hour.
In God I trust; I know that He is here,
And will protect me if I have no fear;
For ever paralyzed that hand shall be
If laid with passion's dark intent on me."

Canto II., Sects. VI., VII.

From the Rev. Dr. R. W. Landis, of Kentucky, who is well known as a profound classical scholar, this work and its author received high praise. Among other things, Dr. Landis says: "The versification has nothing to fear from a comparison even with Dryden." To the author he says: "You have the flow, cadence and rhythm of Dryden; your power of description is equal to his." Other critics have concurred in the foregoing estimate of the poem and its author. A high mark of appreciation and confidence was shown towards Dr. Harlan by his cousin, John Ferris, late of Wilmington, who died in 1882 worth a quarter of a million of dollars. He selected Dr. Harlan as his sole executor and trustee, and stated in his will that the doctor "should not be required to give security for the faithful performance of his duties." After the estate was settled there was a residue of over eighty thousand dollars, "to be applied," says the will, "by Dr. Harlan for the benefit of the necessitous portion of the human family that may come to his knowledge." The testator suggested that "if used for a *House of Refuge* it would have his approval." Hence, "The Ferris Reform School" was established and all the residue assigned to the institution. Dr. Harlan (Caleb, not Charles, as has been published) prepared and published a little Memoir of John Ferris, believing that the life and deeds of Mr. Ferris deserve some space in the world's thought. In December, 1886, Dr. Harlan published a work in pamphlet form entitled

"Mental Power, Sound Health and Long Life—How obtained by Diet." This work is full of valuable instruction and sells rapidly. It promises and almost guarantees, if its counsels are followed, a century of comfortable, vigorous, happy life without an excess of infirmity, and free from the wearisome decrepitude which so often accompanies old age. At the age of twenty-seven the doctor married Eliza Montgomery, a young widow lady, a member of the Presbyterian Church, and remarkable for her piety and good sense. They had three children: Elgarda, Elizabeth and John. The first was married to Dr. T. C. Hutchinson, of Philadelphia. She died at thirty-two, leaving no children. Elizabeth died in her nineteenth year. John studied medicine, and received his degree as a physician at the Hahnemann Medical College. Fifteen months after graduation, he died with consumption. It is the conviction of Dr. Harlan that the children inherited hepatic disease from their grandmother, who died five weeks after the birth of her only child, the subject of this sketch.

Dr. August Negendank was born in Gustrow, Mecklenburg-Schwerin, August 6, 1823. He was educated at the high school of his native place, and attended the Klinik at Kiel, in Holstein. He emigrated to this country in 1849, and entered the office of Dr. G. Pehrson, of Philadelphia, where he remained three years, attended lectures and graduated at the Philadelphia College of Medicine. After acting as assistant surgeon with Dr. C. Hering for two years, he removed to Wilmington, where he has since been engaged in the active practice of his profession. He is a member of the American Prover's Union and the American Institute of Homœopathy, and has also been active in forming the Peninsular Society of Homœopathic Physicians. He has contributed his services as attending physician to the Home for Friendless Children and the Orphanage, two charitable institutions of Wilmington. He is the Medical Director of the Homœopathic Free Hospital. One of his sons, Egmont T. Negendank, read medicine with his father, studied at the University of Pennsylvania, and graduated at the Hahnemann College in Philadelphia, in 1887. He has commenced the practice of medicine at Wilmington.

Dr. Joseph R. Tantum was born in Monmouth County, N. J., April 12, 1834. He was educated in the best schools in that section of the country, and at the age of twenty-one engaged in mercantile pursuits, and afterwards in the drug business, which he was obliged to abandon on account of failing health. Having a taste for medical studies, he read medicine with Dr. O. B. Gause, of Philadelphia, graduating in 1865 from the Homœopathic Medical College of Pennsylvania, and removed to Wilmington, where he established a good practice. He died in 1887. Dr. Percy L. Tantum, his

son, was born in 1863. He studied medicine with his father and, under the direction of Prof. Pancoast, graduated from Jefferson Medical College in 1885. He located in Wilmington.

Dr. William W. Thomas was born in Delaware, and received his early education in Wilmington. His parents died when he was young, and he lived with his uncle, Judge Way, until of age, when he engaged in mercantile business. Having been cured by homœopathy of asthma, from which he was a sufferer for many years, he decided to adopt that science as a profession, and became a student of Dr. J. C. Gosewisch, entered Jefferson College, of Philadelphia, and graduated at the Western Homœopathic College, Cleveland, Ohio, in 1860. He located in Wilmington and practiced until about 1877, when he retired. Of his seven children, five were boys, one of whom, C. F. Thomas, is a merchant in Wilmington.

Dr. Isaiah Lukens was born in Montgomery County, Pa., November 4, 1816, and was educated in the Friends' schools at Burlington and Hadsborough. He read medicine with Dr. G. Y. Jones and graduated at the University of Pennsylvania in 1848. He succeeded Dr. Jones, and remained in Montgomery County six years; then removed to Cleveland for two years, and in 1855 returned to Philadelphia, where he was professor of oral surgery in the Pennsylvania Medical College for six years. Becoming a convert to homœopathy, Dr. Lukens in 1868 removed to Newport, and in 1880 to Wilmington, where he practiced medicine until his death, August 9, 1887.

Leonard Kittinger, M.D., was born in Philadelphia, April 27, 1834. Dr. John Kittinger, his paternal ancestor, came to Germantown, Pa., from Germany prior to the Revolutionary War, and became a large landholder in that place. His son, Leonard Kittinger, was a merchant in Philadelphia. His first wife was Sarah Cress, of Germantown, and their only child, Henry C. Kittinger, married Ann Eliza Dixey, and practiced law for a number of years in his native city, when he removed to Trenton, N. J., where he became judge of the Court of Common Pleas two terms of five years each, by appointment, and the last term, owing to a change in the Constitution, by election,—making a period of fifteen years that he served on the bench. Originally a Democrat, he became a Republican at the breaking out of the war, and was a warm friend and supporter of President Lincoln. He was a man of sterling worth and commanded the respect of those who knew him. He removed to Washington in 1864, where he died in 1879, aged sixty-six. His children were Dr. Leonard Kittinger and three daughters, two of whom are married in that city.

Dr. Kittinger was graduated at Princeton Academy, N. J., also at Edge Hill Grammar

School, from which he was graduated with honor. After completing his literary education he removed to Trenton, N. J., with the intention of carrying out his life-long desire of studying medicine; but his health being delicate, he relinquished his design under advice of a physician, and engaged in mercantile pursuits; but merchandising was uncongenial to his tastes, and upon regaining his health in 1859, he entered as a student the office of Dr. O. B. Ganse, professor of obstetrics and diseases of women and children in the Pennsylvania Homœopathic Medical College, an institution which has since been consolidated with Hahnemann Medical College. He was graduated in 1863 with the degree of M.D., after completing a very thorough course of instruction. He immediately commenced practicing medicine in Flemington, Hunterdon Co., N. J., where he remained until April, 1866, when he removed to Wilmington, where he still resides; here he has earned the well-merited respect of his contemporaries in the profession, and has met with great success, especially in obstetrics and diseases of women and children—a success of which he might justly feel proud. He was in 1869 elected a member of the American Institute of Homœopathy. In 1871 he was appointed one of the physicians to the New Castle County Almshouse and Insane Asylum, a position which he held for one year, until a political change took place in the board of trustees, adding by his success to the reputation of the homœopathic system of medical treatment.

He has also served as physician in charge of the Home for Aged Women, a noble institution, conducted by the benevolent ladies of Wilmington. He has taken an active part in promoting the interests of his chosen profession, and was at one time president of the Homœopathic Medical Society of Delaware and Peninsula. He is a physician in charge of the maternity department of the Homœopathic Free Hospital. He is a Republican, and has served on the Board of Public Education in Wilmington; but he devotes his best energies to his profession, in which he has achieved deserved eminence.

In 1859 Dr. Kittinger married Miss Emma, only daughter of Hon. Obadiah Howell, a prominent citizen of Trenton, N. J., and of an old and highly-respectable family. They have three children,—Leonard Armour, M.D., (in partnership with his father), Charles Howell, and George Batchelder, the latter a graduate of Cornell University, are bankers in Seattle, Washington Territory.

Dr. Leonard Armour Kittinger, oldest son of Dr. Leonard Kittinger, was born in Trenton, N. J., April 22, 1860. He graduated at Pennington Seminary in 1878; studied medicine with his father; graduated at Hahnemann Medical College, Philadelphia, in 1881, and located with his



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He attended the Union, with the exception of Prof. Pan-
cetta, who was at the Medical College
of Philadelphia.

Dr. Way was born in Del-
aware, his education in Wil-
mington when he was young.
He remained in the Union, until
1840, when he was elected
Judge Way, until
1845, when he was elected
Judge of the peace of justice.
For many years he
served as a professor, and
Dr. J. C. Grew, who entered
the Union in 1845, and graduated in
1848, at the College, Cleveland.
He was elected to the Union and
remained there until he retired. Of
the many who have been of whom,
he was not in the Union.

Dr. Way was born in Montgomery
County, N. Y., April 4, 1816, and was educated
at the Union and the University of
Trenton. He commenced his study with Dr. C. Y. Jones
at the University of Trenton, N. J., in 1835. He studied of Dr. Jones and remained
in the Union, N. Y., until 1838, when he removed
to Trenton, N. J., and remained there for two years, and in 1840 he removed to
Trenton, N. J., where he was professor of anatomy and surgery in the Pennsylvania Medical College for six
years. He removed to Trenton, N. J., in 1848, and in 1850
to Wilmington, where he practiced in N. J. until
his death August 9, 1887.

Leonard Kittinger, M.D., was born in Phila-
delphia, Aug. 27, 1810. Dr. John Kittinger, his
father, came to Germantown, Pa., from
Germany prior to the Revolutionary War, and
became a successful merchant in that place. His son,
Leonard Kittinger, was a merchant in Phila-
delphia. His first wife was Sarah Cross, of Ger-
mantown, and their only child, Henry C. Kittinger,
born in 1810, and Ann Eliza Dixie, who married
law for a number of years in his native city, when
he removed to Trenton, N. J., where he became
judge of the Court of Common Pleas for two terms of
five years each, by appointment, and the last term,
owing to a change in the Constitution, by ap-
pointment, during a period of fifteen years. He
served on the bench. Originally a Democrat, he
became a Republican, and the brother-in-law of the
late President Lincoln. He was a warm friend and supporter of
President Lincoln. He was a man of sterling
character and command the respect of those who
knew him. He removed to Wilmington in 1850,
where he died in 1887, at the age of seventy-six. He had
one son, Dr. Leonard Kittinger, who remained in
Trenton, N. J., where he was a successful physician.

Dr. Kittinger was married at Philadelphia
Armstrong, N. J., at Large Hill, Germantown

School, from which he was graduated in 1835.
After completing his literary education, he
moved to Trenton, N. J., where he was engaged
in carrying out his lifelong desire of studying
medicine, but his health being such that he could not
he designed to become a physician, and he
in mercantile pursuits; but it was not
uncongenial to his tastes, and when he
in 1839, he entered as a student in the
Dr. O. B. Garso, professor of obstetrics and
cases of women and children, in the Pennsylvania
Homoeopathic Medical College, and in
which has since been considered one of the
best in the country. He was graduated
1863 with the degree of M.D., after a course
very thorough course of instruction. He
then commenced practicing medicine in Trenton,
Huntendon Co., N. J., where he remained until
April, 1866, when he removed to Wil-
mington, where he still resides. He has earned the
well-earned respect of his contemporaries as a
physician, and has met with great success, espe-
cially in obstetrics and diseases of women and
children—a success of which he is justly proud.
He was in 1869 elected a member of the
American Institute of Homoeopathy. In 1870
was appointed one of the physicians of the
Castle County Almshouse and Insane Asylum.
His position was held for one year, and during
that time he took place in the discharge of his
duties. His success in the practice of the
homoeopathic system of medical treatment.

He has also served as physician in the
the Home for the Colored Women, a home in-
stituted by the benevolent ladies of Wil-
mington. He has taken an active part in
the interests of his chosen profession, and was
one time president of the Homoeopathic Med-
ical Society of Delaware and Pennsylvania. He
has been a member of the Association of
Physicians of the State of Delaware, and
of the Homoeopathic Free Hospital, a
Republican, and has served on the Board of
Physicians of Wilmington, but he devotes his
energies to his profession, in which he has
deserved eminence.

In 1839 Dr. Kittinger married the only
daughter of Prof. Garso, who was a native
citizen of Trenton, N. J., and of an old and
respectable family. They have three children,
Leonard Armour, M.D., an physician, son of
father, Charles Cross Kittinger, and George
the latter a graduate of Case Western Reserve
University in Seattle, Wash., in 1880.

Dr. Leonard Armour is the son of Dr.
Dr. Leonard Kittinger, who was born in
N. J., April 22, 1860. He was graduated in
Trenton Seminary in 1878, attended the
father, graduated in Philadelphia
type, Philadelphia, in 1881, and



Sincerely Yours
L. Kittinger M.D.

father. He was secretary of Hahnemann Medical Institute when a student, and is now secretary of the Homœopathic Medical Society of Delaware and the Peninsula. He is a member of the American Institute of Homœopathy and physician for the Home of Aged Women. He has figured somewhat in politics as chairman of the Republican City Executive Committee and as Secretary of the New Castle County Republican Executive Committee.

Dr. Jackson K. Bryant came to Newark about 1858, and was the first homœopathic physician in that place. He removed to New Jersey in 1862, and is now in Philadelphia. Dr. Alexander Shaw succeeded him in Newark, and remained until about 1870, when he also removed to Philadelphia. Dr. Lee M. Whistler was born in Harford County, Md., in 1839. He was educated at the Belair Academy; studied medicine with Dr. J. B. Crane; graduated at Pulte Medical College, Cincinnati, in 1868, and practiced there for ten years; then he removed permanently to Newark.

Dr. Watson F. Quinby was born near Brandywine Springs, New Castle County, in 1825. He was educated at West Town and Haverford schools; studied medicine with Dr. Harlan, and graduated from Jefferson Medical College in 1847. He commenced the practice of medicine in Mobile, Ala., and went from there to California in 1849. He returned to Wilmington in 1852, where he has since remained in the practice of his profession, applying allopathic treatment, when requested, but preferring the Hahnemann system.

Dr. Edwin S. Anderson, a native of Lawrence County, Ohio, was born January 13, 1844, and studied medicine with Dr. Stanley, of Marietta, Ohio. He graduated at Hahnemann Medical College, in Philadelphia, in 1866, and located in Marietta. In February, 1868, he settled in Dover, and his predecessors at Dover were Dr. John F. Baker, of Attica, N. Y., who came in 1866 and removed about 1870, and Dr. Cator, who came about the same time, but did not locate permanently.

Dr. Thomas O. Clement, a native of Kent County, read medicine with Dr. E. S. Anderson and Dr. J. Nicholas Mitchell. Graduating at Hahnemann Medical College in 1880, he practiced medicine a short time on the Eastern Shore of Maryland and then removed to Dover.

Charles Henry Lawton, M.D., was born in Newport, R. I., February 15, 1832. His father, Job Lawton, married Rebecca Cranston, a descendant of John Cranston, who was Governor of the Colony of Rhode Island, as was also his son Samuel—the latter for many successive terms, until he died in 1727. The Cranstons are descended from the Scottish Lord Cranston, whose son married into the royal family of the Stuarts. Dr. Lawton, having received a good English education, at

the age of fifteen was apprenticed to his brother, W. F. Lawton, to learn the plumbing business. In 1851 he was made a partner, under the firm name of William F. Lawton & Co. During the financial panic of 1857 the firm became embarrassed and the partnership was dissolved. Mr. Lawton was always fond of the study of human nature, and during his leisure hours he familiarized himself with phrenology and physiognomy—partly for amusement; but he has since found the knowledge thus obtained has been beneficial to him in his practice. About this time Mr. Lawton met with Dr. A. Page, of Boston, who was obtaining wonderful success in the use of electricity as a therapeutic agent. He became his student, and, after a thorough course of instruction, commenced the practice of electro-therapeutics. He made this treatment a specialty for fourteen years, performing many remarkable cures, and meeting with uniformly good success. Having an inherent antipathy to the allopathic school of medicine, and at that time, knowing of nothing better, he sought, as far as possible, to avoid all kinds of medication. In 1870, through the influence of a patient, he was led to investigate the claims of homœopathy, and it was not long before a new light dawned upon him. He for the first time saw that there was a science in medicine, that homœopathy was the exponent of a universal principle. From this time forth his life-work was decided, and he immediately enrolled himself as a student in Hahnemann Medical College at Philadelphia, from which he was graduated in 1872. While there he was elected consecutively to the offices of president and treasurer of the Hahnemann Medical Institute. In 1872 he was elected a member of the American Institute of Homœopathy, and has served as chairman of the bureau of pædology, member of the bureau of materia medica, also on committee on legislation in Delaware.

In 1880, while a member of the Bureau of Materia Medica, he read a paper before the American Institute of Homœopathy, on "Proofs of Medicinal Power above the Sixth Decimal." He discussed the subject of Potentization from a scientific stand-point, tracing an analogy between the action of our potentized medicines and a law of physical science. He also prepared a paper on Therapeutic force, or proofs of medicinal power beyond the limit of drug attenuation, which was published a few months later in the "North American Journal of Homœopathy." This article elicited high commendation from Dr. Lilienthal, the editor, and Dr. H. N. Guernsey declared that it was beyond criticism. He also wrote among other things that have been published on the question, "*Is similia similibus curantur* a universal law, and is it reliable in cases of emergency?"

"Proofs of medicinal presence and efficiency in attenuations above the 30th decimal as furnished by the tests of clinical experience;" "What is Homœopathy?" "Shock, its etiology and diagnosis;" "Physiology of Dentition."

He was elected a member of the International Hahnemann Association in 1882, and has served as chairman of the Bureau of Surgery and as member of the Board of Censors.

He assisted in organizing the Delaware Homœopathic Medical Society, and has served as corresponding secretary, member of the Board of Censors and president. He has been twice elected delegate to the American Institute of Homœopathy. In 1884, when an organized effort was made on the part of the homœopathic profession throughout the country to create a fund for the benefit of the National Homœopathic Hospital at Washington, he was appointed chairman of the executive committee for the State of Delaware. He is a member of Eureka Lodge No. 23 A. F. A. M., Delta Royal Arch Chapter No. 6, and of St. John's Commandery No. 1 K. T., also a member of the Improved Order of Heptasophs, Wilmington Conclave, No. 22, being its medical examiner.

In 1857 Dr. Lawton married Miss Elizabeth West. They have one child, Ella E., the wife of Rev. Edward P. Tuller, a Baptist clergyman, in Newport, R. I.

Dr. Irvine M. Flinn was born October 20, 1854, near Newport. Having taken a preparatory course of study with Professor Wm. A. Reynolds, of Wilmington, he was elected Professor of Mathematics in Conference Academy, Dover, in 1874. In the fall of 1876 he entered the sophomore class at Lafayette College, Easton, Pa., and graduated in 1879. In 1880 he was principal of the Pottsville Grammar School, and in 1881 took a two years' course of medicine in Jefferson Medical College of Philadelphia. Then he entered Hahnemann Medical College, and on graduating located in Newport.

Dr. Lewis W. Flinn was born at Newport, Delaware, September 15, 1858. He received his early education at Newport, and in Professor Reynolds' School, graduating at Lafayette College in 1880. He read medicine with Dr. Boyer, at Pottsville, graduating at Jefferson Medical College, in 1883, and subsequently at Hahnemann Medical College. He commenced practice at Wilmington the same year.

Dr. J. F. Frantz was born in Lancaster, Pa., graduated at Hahnemann College in 1876, and entered into partnership with Dr. J. R. Tantum. In 1882, he retired from the active practice of medicine, and is now President of the Wilmington Dental Manufacturing Company, and of the Welch Dental Company of Philadelphia.

Dr. A. E. Frantz was born at Lancaster,

Pa., September 2, 1858. He graduated at Millersville State Normal School, and studied medicine with Dr. J. R. Tantum and J. F. Frantz, graduated at Hahnemann College in 1882, and located in Wilmington.

Dr. James Paul Lukens, son of Dr. I. Lukens, was born March 29, 1855, and was educated in Philadelphia High School, and Swarthmore College. He studied medicine with his father, and graduated from Hahnemann College in 1878. He first located at Newport, and removed to Wilmington in 1882.

Dr. Peter Cooper was born February 4, 1858, in Kent County, Delaware. He was educated at Felton Academy, and read medicine with his brother, Dr. C. H. Cooper, of Chestertown, Maryland. After graduating at Hahnemann College in 1881, he commenced practice with his brother and in 1882 removed to Wilmington.

Dr. J. Harmer Rile, who was born in Philadelphia, May 13, 1857, has resided in Wilmington since 1864. He was a pupil of Professor Reynolds, a member of the first graduating class in 1875, began the study of medicine under Dr. Leonard Kittinger, and entered Hahnemann College from which he graduated in 1879. He began the practice of medicine in Wilmington and was one of the organizers of the State and Peninsula Medical Society. In 1887 he became a member of the American Institute of Homœopathy. His wife is a daughter of Jones Guthrie, Esq., of Wilmington.

Dr. Sylvester Chadwick was born in Delaware County, Pennsylvania, and was educated in Brandywine Academy and Delaware College. He studied medicine with Dr. Harlan, graduating at Hahnemann Medical College in 1880, and commenced practice in Wilmington. He is a member of the Wilmington Board of Public Education.

Dr. Curtis O. Swinney, class of 1878; Dr. Thomas C. Moore, class of 1884; Dr. E. B. Fanning, class of 1885; all graduates of Hahnemann Medical College, of Philadelphia, are practicing medicine at Smyrna; Dr. Benj. G. Frame, of the class of 1885, is practicing in Kenton; Dr. J. G. Dawson, successor of Dr. Strong, is at Milford; Dr. J. C. Kennedy at Middletown; Dr. J. M. Smith at Moorton, and Dr. Kirkpatrick at New Castle.

EPIDEMICS AND VITAL STATISTICS.—Regarding the health of the early settlers of Delaware, little is known of the diseases or epidemics from which they suffered. Noah Webster, in his *History of Epidemics and Pestilential Diseases*, alludes to the terrible severity of the winter of 1641, and the great sickness that prevailed among the Swedes during the following summer. In 1647, the Swedes were visited similarly by an epidemic that



C. . .



C. H. Landon.

prevailed throughout all of the colonies. From what he says it is certain that there were few, if any, of sufficient medical skill to cope successfully with the epidemic.

"Such as were bled or used cooling drinks, died; such as used cordials or more strengthening things, recovered for the most part." Eight years after, another fearful epidemic came on. Of the nature of these contagions nothing definitely is known. The first positive information of epidemics in Delaware, commences with the yellow fever in 1793. This dread disease had been raging with such virulence in Philadelphia as to cause an immense overflow to Wilmington. The Christiana River was crowded with Philadelphia sailing vessels to so great an extent that there was scarcely any room left for the passage of boats; every available house, or part of house, was inhabited by fugitives; all the stables and other out-buildings were devoted to the storage of goods and property of the strangers, and in consequence of their presence the scourge made its appearance also in Wilmington, but from all accounts was largely confined to the Philadelphians.

Notwithstanding the risk and danger the people of Wilmington treated their enforced guests with every consideration, and Mathew Carey, the Philadelphia publisher, in his work on the scourge acknowledged their disinterested kindness and sympathy in the following terms:

"The people of Wilmington have acted in the most friendly manner toward our distressed citizens. At first they were a little feared and resolved on the establishment of a quarantine and guards. But they immediately dropped these precautions and received the people from Philadelphia with the most perfect freedom. They erected an hospital for the reception of our infected citizens, which they supplied with necessaries. Yet of eight or ten persons from Philadelphia who died in that town of the malignant fever only one was sent to the hospital. The others were nursed and attended in the houses where they fell sick. Humane, tender and friendly as were the worthy inhabitants in Wilmington in general, two characters have distinguished themselves in such a very extraordinary manner as to deserve particular notice. These were Dr. Nicholas Way and Major George Bush, collector of the port, whose houses were always open to the fugitives from Philadelphia, whom they received with the smallest apprehension, and treated with a degree of genuine hospitality that reflects the highest honor on them. The instances of this kind through this country have been very few, but they are, therefore, only the more precious, and ought to be held up to public approbation."

In 1798, following a reappearance of the scourge in Philadelphia, the yellow fever reached Wilmington in August, creating a panic, particularly in the lower part of the town near the Christiana, where it broke out, and extending to the higher portions of the town and the village of Brandywine. A number of prominent citizens were among its victims, a list of whom included James Lea, Sr., residing near the Town Hall; two sons of Joseph Tatnall; Ebenezer McComb, the merchant trader and his wife; the wife of Colonel Tilton; Major Patten, the grandfather of Judge Wales; Joseph Miller, a young lawyer; ten out of a family of eleven at McComb's Wharf; J. Provost, at Hemphill's Wharf; and the wife of Isaac Henderson, a merchant trader.

A third visitation of yellow fever occurred in Wilmington in 1802, following another epidemic in Philadelphia. The Board of Health inaugurated a rigid quarantine, and took every possible precaution against the introduction of the plague, but without effect. The disease appeared on August 2d, and a week later there were several cases in town. There were, however, no deaths until September 1st, when Johnson Owens, a shallopman employed by Cyrus and Robert Newlin, succumbed. A week later the fever assumed a malignant shape in the lower part of the borough, principally on King Street below Second Street; the alarm became general and people fled to the country in large numbers. Thirty-four deaths occurred during September. On October 1st there were only six hundred and five people in town south of Market Street, of which number twenty-five were sick. The disease raged with increased violence subsequent to October 15th and thirty-one deaths occurred from that time to November 2d, when the appearance of frost stopped the contagion. Among the later deaths was that of John Ferris, Jr., who during the epidemic of 1798, and the present year, had been unceasing in his attentions to the sick. He died on October 31st. Colonel Thomas Kean, an officer of the Revolutionary army, was also one of the victims. The latter numbered eighty-six out of one hundred and ninety-seven cases, of which one hundred and fifty-six cases and fifty-five deaths occurred east of Market Street and south of Third Street.¹ Following is a list of the deaths which occurred during the period:

| | |
|---------------------------|---------------------------|
| Johnson Owens. | John Armstrong's child. |
| Thomas Musgrove, a child. | James McMinn. |
| Mary Brown. | Edward Smith. |
| Mordecai Cloud. | Cleland Boyd. |
| Ann Hadley. | Edward Carpenter. |
| Peter Lowther. | Lydia Warner. |
| Hannah Robinson. | Elizabeth Blays. |
| Mary Bates. | Cleland Boyd, a child. |
| Penelope Days. | Sarah Kean. |
| Sweetapple, a child. | Henrietta Gairy. |
| Hannah Swayne. | John Martin. |
| Heather Warner. | Peter Young. |
| Abner Dickinson. | Thomas Kean, Esq. |
| Ann Jackson. | Elizabeth Blays, Sr. |
| Levina Wital. | Wilson Kendall. |
| Elizabeth Springer. | William Preston and wife. |
| Eliza King. | Mary Reynolds. |
| Phoebe Mendenhall. | Sarah Thompson. |
| Ann Catherwood. | Ruth Alderdice. |
| Andrew Catherwood. | R. Fenwick's child. |
| Rachel Peterson. | Mary Smith. |
| Joseph Burton. | Ester Carpenter. |
| Isaac Stevenson's child. | Walter Cummins. |
| Ann Thompson. | John Hadley's child. |
| Thomas Musgrove. | Josiah Coolen. |
| Phoebe Jordan. | Christian Bourman. |
| William Sharp. | Alphonso Aldeidse. |
| John Harvey's child. | William Thompson. |

¹ Dr. John Vaughan, an eminent practitioner of that day, attended a large number of the yellow fever patients of this period in Wilmington, and by request of the American Philosophical Society published a history of the origin and nature of the disease. Dr. Vaughan introduced vaccination in Wilmington in 1804.

E. Joice, a child.
Samuel Musgrove.
Linah Hindman.
Susanna Kawn.
Elihu Chandler.
Lydia Vallet.
Samuel Whitaker.
Margaret Kean.
Sarah Hartley.
Thomas Clarke.
James Brown.
Sarah Webb.
Susanna Kendall.
William Hawkins.

Mrs. Bodill's child.
Sarah Brian.
Manassah Scantling.
Jonas Airicha.
John Hogg.
Mary Janvier.
Rebecca Taylor.
Hetty Sutton.
William Shorer.
James Smith's child.
Hannah Harlan.
John Ferris.
Daniel Morrison.

| | | | |
|-----------|-----|-----------|------|
| 1860..... | 447 | 1874..... | 693 |
| 1861..... | 421 | 1875..... | 856 |
| 1862..... | 472 | 1876..... | 683 |
| 1863..... | 519 | 1877..... | 671 |
| 1864..... | 490 | 1878..... | 841 |
| 1865..... | 454 | 1879..... | 871 |
| 1866..... | 441 | 1880..... | 935 |
| 1867..... | 456 | 1881..... | 1341 |
| 1868..... | 538 | 1882..... | 1143 |
| 1869..... | 461 | 1883..... | 1091 |
| 1870..... | 524 | 1884..... | 1190 |
| 1871..... | 549 | 1885..... | 1019 |
| 1872..... | 700 | 1886..... | 905 |
| 1873..... | 660 | 1887..... | 1089 |

In 1853, there were a few cases of yellow fever on the north bank of the Brandywine, which were traced to bilge-water and decayed vegetable matter in an old shipyard.

A short time before the Revolutionary War a disease known as "Welsh Fever," developed among the passengers on the ship "Liberty," just in from Wales. It extended to the town of Wilmington and a great many of the inhabitants contracted it. Hospitals were improvised in tents and adjacent farm-houses.

Up to August, 1832, Wilmington was celebrated as a refuge from cholera, and many fugitives from various portions of the country came here to escape the plague. At this time, however, the disease made its appearance in Wilmington, but in a mild form, the cases aggregating but forty-seven; deaths seventeen.

In 1849, the cholera reappeared in Wilmington, and between June 29th and August 3d, there were sixty-five deaths and one hundred and sixteen cases altogether. The majority of the cases were at the almshouse, where seventy-eight inmates out of one hundred were affected and forty-seven died.

Wilmington was visited by smallpox for the first time late in the eighteenth century, and it prevailed in a mild form on several occasions until 1871, when it continued for one hundred and sixty-six days from November 24th. Within that period there were three hundred and sixty-one cases reported to Henry Eckel, president of the Board of Health, and there were fifty additional cases, making four hundred and eleven altogether. In 1876 there were few fatal cases. In 1881, it prevailed from January 1st to May 1st, resulting in eighty-one cases and did not really disappear until May, 1882. From January 4, 1883, to June, two hundred and fifteen cases of smallpox were reported, and to December, two hundred and fifty cases and eighty-one deaths.

The number of deaths in Wilmington annually from 1848, when the registration was commenced, to 1888, was as follows:

| | | | |
|-----------|-----|-----------|-----|
| 1848..... | 410 | 1864..... | 420 |
| 1849..... | 377 | 1865..... | 412 |
| 1850..... | 304 | 1866..... | 461 |
| 1851..... | 351 | 1867..... | 510 |
| 1852..... | 355 | 1868..... | 428 |
| 1853..... | 358 | 1869..... | 458 |

In a paper read before the Delaware Medical Society in 1877, Dr. L. P. Bush, President of the Wilmington Board of Health, gave the following statistics regarding that city:

In 1870, the population of the city was 30,840, of which 3211 were colored. The population in 1877 was nearly 38,000. The average number of deaths yearly from 1870 to 1877 was 725, or 1 to each 47 inhabitants. The number of deaths annually from typhoid fever from 1865 to 1871 was 154; from 1872 to 1877, 21. This disease made its appearance in 1838, at Brandywine Springs, from which point it spread north and west. The first case recognized as diphtheria appeared in Wilmington in 1860. From 1847 to 1860, only 9 deaths were reported from throat diseases. From 1860 to 1865 inclusive, 71 deaths from diphtheria were reported, and for the six succeeding years 46; from 1872 to 1877 there were 61. During the years 1847 to 1851, when the typhoid fever prevailed to an alarming extent, almost no deaths from throat disease were recorded, showing that the causes of these diseases are not identical. This conclusion also seems justifiable from the additional fact that the mortuary record of the two diseases here, after the establishment of the diphtheria, bear no especial relation to each other. From 1855 to 1860, there were one hundred and sixty-eight deaths from cholera infantum; from 1860 to 1872 there were 292. From 1871 to 1877, there were 79 deaths from croup; 153 from marasmus and inanition; 91 from pneumonia and 325 from phthisis.

In 1794, when Wilmington contained about 2900 inhabitants, William Poole and Isaac Starr made a list of 147 persons in the borough who were over 60 years of age; 13 of whom died between 60 and 70; 50 between 70 and 80; 52 between 80 and 90; 16 between 90 and 100; and 2 over 100; average longevity, 80 years. In 1820, population 5268; inhabitants 80 years old, 50; 1866, population 25,000; octogenarians, 150. In 1881, out of 1341 deaths, 102 were between 60 and 70; 73 between 70 and 80; 44 between 80 and 90 and 4 between 90 and 100 years. In 1882, out of 1143 deaths, 70 were between 60 and 70; 78 between 70 and 80; 36 between 80 and 90, and 10 between 90 and 100 years. In 1883, out

of 1091 deaths, 90 were between 60 and 70; 71 between 70 and 80; 47 between 80 and 90; 6 between 90 and 100, and 2 over 100 years. In 1884, out of 1191 deaths 140 were over 70 and 4 nearly 100 years old. In 1885, out of 1019 deaths, 142 were over 70 and 8 over 90 years. In 1886, out of 905 deaths, 80 were over 60; 71 over 70; 37 over 80 and 4 over 90 years.

REGISTRY OF PHYSICIANS.

The physicians registered in the office of the clerk of the peace of New Castle County, together with the institutions from which they graduated and their location, are as follows:

| | |
|---|------|
| Bullock, Wm. B., Wilmington, University of Pennsylvania..... | 1847 |
| Bush, Lewis P., Wilmington, University of Pennsylvania..... | 1835 |
| Burwell, John P., Wilmington, Jefferson Medical College..... | 1840 |
| Broughman, George W., Stanton, Jefferson Medical College..... | 1863 |
| Barr, W. H., Middletown, University of Pennsylvania..... | 1850 |
| Belville, Frank, Delaware City, College of Physicians and Surgeons, Baltimore..... | 1875 |
| Bliss, Oliver, Wilmington, American Eclectic..... | 1876 |
| Blockson, J. W., Wilmington, Jefferson..... | 1871 |
| Brown, Thos. A., Wilmington, Jefferson..... | 1873 |
| Black, John L., New Castle, University of Pennsylvania..... | 1862 |
| Burr, Horace, Wilmington, Yale College..... | 1842 |
| Bayd, John, Wilmington, University of Pennsylvania..... | 1834 |
| Burr, Wm. H., Wilmington, University of Maryland..... | 1864 |
| Burr, Martin W., Middletown, University of Pennsylvania..... | 1864 |
| Ball, L. Heister, Stanton, University of Pennsylvania..... | 1855 |
| Bush, J. H. J., Wilmington, Jefferson Medical College..... | 1846 |
| Boeswald, F., Wilmington, Eclectic Institute..... | 1886 |
| Bradford, Thos. Budd, Wilmington, University of Pennsylvania..... | 1884 |
| Ball, C. D. E., Wilmington, University of Maryland..... | 1890 |
| Corse, W. H., Wilmington, University of Pennsylvania..... | 1872 |
| Chamberlain, G. G., Middletown, University of Pennsylvania..... | 1848 |
| Cameron, John, Wilmington, Hygeia Therapeutic, N. Y..... | 1860 |
| Carrow, Flemming, Wilmington, National Medical College..... | 1874 |
| Chandler, Swithin, Faulkland, Medical Department of Columbia University and Pennsylvania Medical College..... | 1854 |
| Cooper, Smith, Wilmington, University of Pennsylvania..... | 1876 |
| Cooper, Peter, Wilmington, Hahnemann Medical College..... | 1881 |
| Cumbough, J. W., Hockessin, University of Pennsylvania..... | 1878 |
| Chandler, Jos. H., Centerville, Jefferson Medical College..... | 1890 |
| Calvin, Wm., Booth's Corner, Philadelphia College..... | 1864 |
| Chadwick, S., Wilmington, Hahnemann Medical College..... | 1880 |
| Cardosa, John T. M., Claymont, University of Pennsylvania..... | 1844 |
| Carleza, John D. M., Claymont, University of Pennsylvania..... | 1877 |
| Curtis, J. M., Wilmington, Hahnemann Medical College..... | 1869 |
| Costes, L. P., Summit Bridge, University of Pennsylvania..... | 1886 |
| Cantwell, Geo. H., Wilmington, Jefferson Medical College..... | 1883 |
| Corkran, Willard F., Wilmington, University of Maryland..... | 1884 |
| Draper, Jas. A., Wilmington, University of Pennsylvania..... | 1890 |
| Dunlap, Francis S., Delaware City, University of Pennsylvania..... | 1861 |
| De Witt, J. W., St. George's, Jefferson Medical College..... | 1863 |
| Day, F. Harvey, Rockland, University of Pennsylvania..... | 1865 |
| Devon, I. L., Wilmington, Hahnemann Medical College..... | 1872 |
| Eberts, J. E., Wilmington, Washington University and College of Physicians..... | 1876 |
| Enos, Thos. A., Townsend, Jefferson Medical College..... | 1879 |
| Evans, Wm. D., Newark, University of Pennsylvania..... | 1881 |
| Flinn, Irvine M., Newport, Jefferson Medical College..... | 1883 |
| Flinn, Lewis W., Wilmington, Jefferson Medical College..... | 1883 |
| Frantz, A. E., Wilmington, Hahnemann Medical College..... | 1882 |
| Fraser, Edward E., Wilmington, Jefferson Medical College..... | 1887 |
| Greenleaf, B. P., Henry Clay P. O., Medical Department of Pennsylvania College..... | 1855 |
| Goswich, E. W., Wilmington, Hahnemann Medical College..... | 1877 |
| Green, C., Wilmington, College of Physicians and Surgeons, New York..... | 1840 |
| Grimshaw, A. H., Wilmington, University of Pennsylvania..... | 1846 |
| Green, Chas. D., Kirkwood, University of Pennsylvania..... | 1848 |
| Gardiner, Richard, Wilmington, Hahnemann Medical College..... | 1870 |
| Griffiths, J. P., Wilmington, Eclectic Medical College..... | 1862 |
| Harlan, Caleb, Wilmington, University of Pennsylvania..... | 1836 |
| Hamilton, W. N., Odessa, Jefferson Medical College..... | 1836 |
| Hughes, M. J., Wilmington, Jefferson Medical College..... | 1883 |
| Henry, Columbus, Newark, University of Pennsylvania..... | 1871 |
| Heald, Pusey, Wilmington, Hygeia Therapeutic College, New York..... | 1863 |
| Heald, Mary H., Wilmington, Hygeia Therapeutic College, New York..... | 1864 |

| | |
|---|------|
| Hitch, Wm. S., Wilmington, Jefferson Medical College..... | 1861 |
| Herbet, H. H., Wilmington, University of Pennsylvania..... | 1881 |
| Ieenschmid, Paul, Wilmington, American University, Phila..... | 1872 |
| Johnson, R. P., Wilmington, University of Pennsylvania..... | 1850 |
| Jones, Arthur E., Newark, Jefferson Medical College..... | 1884 |
| Kirkpatrick, H. P., New Castle, Hahnemann Medical College..... | 1876 |
| Kirchner, C. W., Wilmington, Heidelberg and Jefferson Medical College..... | 1848 |
| Keables, Thos. A., Wilmington, Georgetown College, D. C..... | 1872 |
| Kittinger, L. A., Wilmington, Hahnemann Medical College..... | 1881 |
| Kollock, H. G., Newark, Jefferson Medical College..... | 1872 |
| Kennedy, W. F., Middletown, Hahnemann Medical College..... | 1873 |
| Kittinger, L., Wilmington, Homoeopathic Medical College, Phila..... | 1864 |
| Lukens, Imiah, Wilmington, University of Pennsylvania..... | 1848 |
| Lukens, J. Paul, Wilmington, Hahnemann Medical College..... | 1878 |
| Lowter, Alex., Newark, Jefferson Medical College..... | 1882 |
| Lawton, C. H., Newark, Hahnemann Medical College..... | 1872 |
| Lippincott, J., Newark, Eclectic Medical College, Cincinnati, O..... | 1881 |
| Maul, D. W., Wilmington, Jefferson Medical College..... | 1853 |
| Mitchell, A. B., Delaware City, University of Maryland..... | 1866 |
| Mitchell, Taylor S., Hockessin, Jefferson Medical College..... | 1875 |
| Mitchell, Geo. B., Wilmington, New York Homoeopathic..... | 1867 |
| McKee, R. B., Middletown, Pennsylvania Medical College..... | 1859 |
| McKay, Read J., Wilmington, Bellevue Medical College..... | 1867 |
| McMaster, Mary J., Wilmington, American Eclectic Medical College..... | 1879 |
| Mann, Geo. W., Wilmington, Jefferson Medical College..... | 1882 |
| Meat, Jas. M., Wilmington, Hahnemann Medical College, Chicago..... | 1883 |
| Nowland, E. F., Wilmington, Philadelphia College of Medicine..... | 1854 |
| Negendank, A., Wilmington, Hahnemann Medical College..... | 1887 |
| Ogle, Howard M., Wilmington, Jefferson Medical College..... | 1869 |
| Ogle, A. M., New Castle, Jefferson Medical College..... | 1862 |
| Palmer, John, Jr., Wilmington, University of Pennsylvania..... | 1892 |
| Patterson, Henry, Christiana, University of Pennsylvania..... | 1879 |
| Peters, B. B., Wilmington, Jefferson Medical College..... | 1884 |
| Powell, Jas. B. B., Wilmington, University of Pennsylvania..... | 1878 |
| Pyle, J. P., Wilmington, University of Pennsylvania..... | 1883 |
| Parm, John A., Wilmington, Dartmouth College..... | 1870 |
| Quimby, Watson F., Wilmington, Jefferson Medical College..... | 1847 |
| Rile, J. Harmer, Wilmington, Hahnemann Medical College..... | 1879 |
| Snitcher, H. C., Wilmington, Chicago Medical College..... | 1868 |
| Stimes, John H., Wilmington, Eclectic Medical College, Pa..... | 1854 |
| Shortridge, Eran G., Wilmington, University of Pennsylvania..... | 1868 |
| Springer, Willard, Wilmington, University of Pennsylvania..... | 1874 |
| Stewart, David, Jr., New Castle, University of Pennsylvania..... | 1872 |
| Skinner, W. T., Glasgow, University of Maryland..... | 1870 |
| Springer, Francis L., Christiana, University of Pennsylvania..... | 1877 |
| Stubbs, Henry J., Wilmington, Jefferson Medical College..... | 1868 |
| Stubbs, Florence P., Wilmington, Woman's Medical College..... | 1881 |
| Smith, J. W., Wilmington, Bellevue Medical College, New York..... | 1870 |
| Sorensen, A. W., Wilmington, College of Physicians and Surgeons, Ontario..... | 1870 |
| Stewart, F. E., Wilmington, Jefferson Medical College..... | 1879 |
| Tomlinson, Peter W., Wilmington, Jefferson Medical College..... | 1878 |
| Thompson, Hannah M., Wilmington, Woman's Medical College..... | 1883 |
| Unger, T. O., University of Vienna (1872), Jefferson Medical College..... | 1883 |
| Yonsey, James L., Summit Bridge, University of Maryland..... | 1836 |
| Valandingham, Irving S., St. George's, University of Maryland..... | — |
| Yonsey, James L., Summit Bridge, University of Maryland..... | 1883 |
| West, Simeon L., Wilmington, Jefferson Medical College..... | 1868 |
| Welch, J. B., Wilmington, Pennsylvania Eclectic College..... | 1870 |
| Whistler, L. M., Newark, Pult. Medical College..... | 1879 |
| Ware, S. F., Wilmington, Jefferson Medical College..... | 1883 |
| Wilson, Henry R., Wilmington, University of New York..... | 1883 |
| Wales, John P., Wilmington, University of Pennsylvania..... | 1852 |
| White, Josephine M., Wilmington, Woman's Medical College..... | 1878 |
| Wallace, Charles H., Wilmington, University of Pennsylvania..... | 1886 |

The registered physicians of Kent County are as follows:

| | |
|--|----------------|
| James H. Wilson, University of Pennsylvania..... | March 14, 1867 |
| Isaac Jump, University of Pennsylvania..... | March 6, 1836 |
| C. Russell Jakes, University of Pennsylvania..... | March 15, 1882 |
| Fred. J. Owens, eight years' practice. | |
| Robert Collins, eight years' practice. | |
| Ezekiel Dawson, University of Pennsylvania..... | April 4, 1853 |
| Benjamin Whittely, Jefferson Medical College..... | March 9, 1869 |
| Thomas Cahill, Jefferson Medical College..... | March 29, 1848 |
| Albert Whittely, Jefferson Medical College..... | March 8, 1839 |
| William Marshall, Jefferson Medical College..... | March 25, 1847 |
| George W. Marshall, Jefferson Medical College..... | March 11, 1876 |
| Nathan Pratt, University of Pennsylvania..... | March 15, 1860 |
| Ezekiel W. Cooper, University of Pennsylvania..... | March, 1860 |
| Fredrick Spang, Jefferson Medical College..... | March 20, 1860 |
| P. S. Downa, University of Pennsylvania..... | March 15, 1878 |
| Thomas V. Cahill, Jefferson Medical College..... | March 11, 1874 |
| Bennet Downa, Jefferson Medical College..... | March 12, 1873 |

| | |
|---|-------------------|
| Lemuel Bishop, University of Pennsylvania..... | March 12, 1875 |
| Robert W. S. Hiron, Jefferson Medical College..... | March 7, 1857 |
| John W. Warren, University of Pennsylvania..... | March, 1868 |
| William H. Cooper..... | |
| R. W. Hargadine, University of Pennsylvania..... | March 14, 1867 |
| Thomas Clayton Frame, University of Pennsylvania..... | March 14, 1866 |
| James D. M. Temple, Jefferson Medical College..... | March 11, 1874 |
| Asbury M. Day, Albany, N. Y..... | December 24, 1860 |
| John W. Sharp, University of Pennsylvania..... | April 8, 1851 |
| William Ashcroft, University of Pennsylvania..... | March 24, 1846 |
| Benajah L. Lewis, University of Pennsylvania..... | March 13, 1873 |
| John M. Klump, University of Pennsylvania..... | March 15, 1881 |
| John M. Downs, University of Med. and Surg., Phila..... | March 10, 1865 |
| William M. Parvis, University of Maryland..... | March 1, 1871 |
| E. Morris Clark, Jefferson Medical College..... | March 10, 1876 |
| William T. Collins, Jefferson Medical College..... | March 7, 1857 |
| J. W. Clifton, University of Pennsylvania..... | March 12, 1875 |
| J. Addison Goodwin, University of Pennsylvania..... | April, 1850 |
| Miss Kate Woodhull, New York Infirmary..... | 1873 |
| Jefferson M. Luff, Jefferson Medical College..... | March 12, 1881 |
| Thomas D. Hubbard, Pennsylvania Medical College..... | March 12, 1854 |
| John M. Wilkinson, eight years' practice. | |
| James T. Mamey, eight years' practice. | |
| William L. Lafferty, University of Pennsylvania..... | March 2, 1836 |
| William T. Davis, Jefferson Medical College..... | March 12, 1876 |
| Luther S. Conwell, Jefferson Medical College..... | March 29, 1884 |
| Emmanuel J. Brown, University of New York..... | March 11, 1884 |
| Robert H. Van Dyke, University of Maryland..... | March 14, 1884 |
| Lorenzo Chapman, L. I. College Hospital..... | June 21, 1883 |
| James Richardson, Jefferson Medical College..... | April 2, 1885 |
| Charles G. Harmonson, Jefferson Medical College..... | March 1, 1884 |
| Robert T. Barber, College of Phys. and Surg., Balt..... | March 15, 1886 |
| Paris T. Carlisle, University of Pennsylvania..... | May 2, 1887 |
| Walker G. Wallis, Jefferson Medical College..... | March 13, 1861 |
| Edward S. Dwight, Yale..... | June 29, 1876 |
| James D. West, Ec. Col. of Med., Philadelphia..... | January 24, 1865 |
| Edwin S. Anderson, Homoeopathic College, Pa..... | March 1, 1866 |
| John M. Smith, Hahnemann Medical College..... | March 10, 1880 |
| Curtis O. Livinney, Hahnemann Medical College..... | March 13, 1878 |
| Thomas Clayton Moore, Hahnemann Medical College..... | April 2, 1884 |
| Thomas O. Clements, Hahnemann Medical College..... | March, 1880 |
| Benjamin G. Frame, Hahnemann Medical College..... | March 10, 1885 |
| E. B. Fanning, Hahnemann Medical College..... | April 2, 1885 |

The registered physicians of Sussex County are as follows:

| | |
|--|------|
| Marsh, Joseph W., Lewes and Rehoboth, Jefferson Medical College of Philadelphia..... | 1861 |
| Layton, Caleb Rodney, Georgetown, University of Pennsylvania..... | 1876 |
| Hitch, Wm. J., Laurel, University of Pennsylvania..... | 1858 |
| Richard, Chas. H., Georgetown, University of Pennsylvania..... | 1851 |
| Waples, Jon. B., Georgetown, University of Maryland..... | 1868 |
| Fooke, John W., Millsborough, Jefferson Medical College of Philadelphia..... | 1874 |
| Hall, David, Lewistown, Pennsylvania Medical College..... | 1852 |
| Hopkins, James A., Milton, Jefferson Medical College..... | 1858 |
| Mustard, David L., Lewistown, Pennsylvania Medical College..... | 1858 |
| Roop, Francis A., Bethel, Columbian College, Washington, D. C..... | 1836 |
| Mitchel, Lemuel P., Gettysville, University of Maryland..... | 1847 |
| Ellegood, Robert G., Concord, Pennsylvania Medical College..... | 1852 |
| Ellegood, Joshua A., Laurel, Jefferson Medical College..... | 1881 |
| Sudler, Wm. F., Bridgeville, Jefferson Medical College..... | 1864 |
| Burton, Hiram R., Lewistown, University of Pennsylvania..... | 1868 |
| Palmer, David D., Bridgeville, University of Pennsylvania..... | 1867 |
| Collins, Lemuel H., Gumborough, Washington University of Baltimore, Md..... | 1873 |
| Fowler, Ed., Laurel, University of Maryland..... | 1858 |
| Prettyman, Geo. W., Milton, Jefferson Medical College..... | 1873 |
| Short, Jas. W., Gumborough, Jefferson Medical College..... | 1871 |
| Hitch, Thomas A., Frankford..... | |
| McCabe, Edward H., Roxanna, Long Island College Hospital..... | 1874 |
| Gum, Francis M., Frankford, University of Pennsylvania..... | 1871 |
| Wolfe, Wm. E., Laurel, Jefferson Medical College..... | 1857 |
| Johns, Joseph F., Seaford, University of Pennsylvania..... | 1870 |
| Maull, George W., Georgetown, Jefferson College..... | 1830 |
| Stevens, James A., Lincoln, Jefferson Medical College..... | 1882 |
| Martin, Hugh, Seaford, University of Maryland..... | 1853 |
| Pierce, John O., Milford, Philadelphia University of Medicine and Surgery..... | 1868 |
| Shipley, William I., Seaford, Washington University of Baltimore, Md..... | 1873 |
| Flemmens, Albert B., Delmar, University of Maryland..... | 1856 |
| Littlejohn, Jas. Curtis, Gumborough, University of Maryland..... | 1863 |
| Cockran, Millard F., Milton, University of Maryland..... | 1884 |
| Richardson, Rodney H., Lewes, University of Pennsylvania..... | 1884 |
| Prettyman, John S., Jr., Milford, University of Pennsylvania..... | 1884 |
| Robinson, Oliver D., Georgetown, University of Pennsylvania..... | 1864 |
| Orr, Wm. P., Jr., Lewes, University of Pennsylvania..... | 1864 |
| Wilson, Robert H. F., Milton, Jefferson Medical College..... | 1886 |

| | |
|--|------|
| Ammerman, Chas. W., Greenwood, Ohio Medical College, Cleveland..... | 1883 |
| Gillespie, James S., Lincoln, Jefferson Medical College..... | 1885 |
| Hickman, Harbeson, Jr., Lewes, University of Pennsylvania..... | 1864 |
| Cahall, Lawrence M., Bridgeville, Jefferson Medical College..... | 1864 |
| Wright, Josephus A., Delmar, University of Maryland..... | 1881 |
| Ellegood, Robert, Concord, Jefferson Medical College..... | 1880 |
| Richardson, Braxton B., Frankford, University of Maryland..... | 1887 |
| Hopkins, Robert B., Milton, Jefferson Medical College..... | 1887 |
| Jones, William B., Millsborough, Jefferson Medical College..... | 1867 |
| Dawson, John G., Milford, Hahnemann Medical College, Chicago..... | 1880 |
| Underwood, Walter, Milton, Hahnemann Medical College, St. Louis, Mo., 1875.—Indiana Eclectic College of Medicine and Midwifery, Indianapolis, Ind..... | 1879 |
| Johnson, Henry C., Greenwood, Eclectic Medical College, Pa..... | 1886 |
| McFadden, James P., Whitestville..... | |
| Knowles, J. H. D., Lewes, Eclectic Medical College, Pa..... | 1880 |
| Prettyman, John S., Milford, Physopathic Medical College, Cincinnati, O., 1850.—American Medical College, 1855.—New York Eclectic Medical College..... | 1867 |
| Knowles, Jacob, Seaford, Eclectic Medical College, Pa..... | 1869 |
| Harris, George Morrison, Lewes, Eclectic Medical College, N. Y..... | 1861 |
| Underwood, Emma, Milton, Indiana College of Medicine and Midwifery, Indianapolis..... | 1879 |

CHAPTER XXV.

THE BENCH AND BAR.

LAW was first transplanted to the shores of the Delaware from Sweden, and justice first dispensed—probably in 1643—by the ponderous, irascible Governor Printz, described by shrewd, observant, caustic David Pieterseon De Vries as "Captain Printz, who weighs four hundred pounds and takes three drinks at every meal." This executive was enjoined to "render justice without distinction, so that there may be no injury to any man," "to decide all controversies according to the laws, customs and usages of Sweden" and again "to adopt and follow all the laudable manners, customs and usages of the Kingdom of Sweden." Beyond any doubt it was at Tinicum, in the present county of Delaware, Pennsylvania, where Printz established his home or "hall," that the laws alluded to in his instructions were first capriciously, crudely and it is to be feared, sometimes cruelly administered. The Governor had a difficult task to perform for (according to the Record of Upland Court), the laws of Sweden had then but recently been codified, and, even in the sparsely settled colony, he must occasionally have been confronted with problems which he would doubtless have preferred that others should solve. He had no legal lore—indeed, no knowledge of executive duties—his whole education and experience having been in the line of the military. The fact that he was expected at all times to look out for the interests of the Swedish Company, and thus compelled, occasionally, to act in the role of plaintiff as well as in the capacity of judge, did not tend to mitigate the unpleasantness of his position. In one of his earliest reports he says, "I have several times solicited a learned and able man . . . to administer justice and attend to the law business, sometimes very intricate cases

occurring, in which it is difficult, and never ought to be, that one and the same person appear in the court as plaintiff as well as Judge."¹

Very little is or can be known of the Swedish administration of justice upon the Delaware. The Governor's jurisdiction, of course, extended to the settlers upon the Christiana and, for that matter, to all in what was known as New Sweden. He had authority to act in judicial capacity in both civil and criminal matters and could punish the more serious class of offenses not only by imprisonment, but by death, though the capital penalty could only be inflicted, as his instructions read, "according to the ordinances and legal forms, and after having sufficiently considered and examined the affair with the most noted persons, such as the most prudent assessors of justice that he can find and consult in this county."² The Swedish Governor had not long, however, to be burdened with legal or other responsibilities, nor had any of his nationality, for the Dutch in 1655 relieved them of all cares of government in colonial America.

The Dutch have left scanty records of the working of the law among them, but far fuller accounts than did their predecessors, and indeed they had much more to preserve. The Pennsylvania Archives, the twelfth volume of New York Colonial Documents, relating entirely to the settlements upon the Delaware, Acrelius' "New Sweden" and various other works throw some light upon the nature of their civil tribunals. It appears that when Jean Paul Jacquet was appointed Vice-Director, on the 25th of November, 1655, he was instructed "to administer law and justice to citizens as well as to Soldiers," and the secretary, Andrew Hudde, was to keep a record of all arrests, complaints, etc., and also of "all judgments, sentences and decisions." One of the principal duties of the Vice-Director was to rigidly enforce an order against the sale of liquor to the Indians. He was also to enforce laws against the profanation of the Sabbath, the robbing of gardens and plantations, etc. The courts where breaches of these ordinances were to be tried was a meeting of Council to be convened only by order of the Vice-Director. In all cases in which the soldiery or the company's interests were involved, the Vice-Director was instructed to add two sergeants, who were to sit as a part of the court; but in cases "between freemen and servants of the Company"—purely civil ones—"two suitable free-men were to be substituted instead of the sergeants." The tribunal appears to have exercised legislative as well as judicial functions, for it is recorded that on February 13, 1656, all persons in New Castle, or New Amstel, were re-

quired, under penalty of paying a fine of five guilders, to inclose their lots before the 15th of the following month. Several other laws or ordinances were enacted.

It seems probable that the court alluded to as being held in February, 1656, and perhaps some others, were held in Tinicum, but that point was practically abandoned by the Dutch after they had obtained absolute sway in the colony, most likely in 1657, and it was undoubtedly in that year that the first court was held within the limits of the present State of Delaware.

THE NEW CASTLE COURTS BEFORE THE COMING OF PENN.—Certain it is, that early in 1656, Jacob Alrichs was appointed Vice-Director of the city's colony (that part of the Delaware territory from the Christiana River to Bombay Hook, transferred to the city of Amsterdam by the Dutch West India Company), and in the latter part of April he arrived at New Castle. The fact that the Swedish inhabitants petitioned that a court messenger and provost might be appointed for them, that Sheriff Van Dyck proposed "one Jurgen, the Fin on the Crooked Kil," for the office, and that on June 12, 1657, the suggestion received the approval of Governor Stuyvesant, indicates that a court was then held at New Castle. That it was constituted in a manner not conforming to usually accepted ideas of a judicial tribunal appears from a letter written by Alrichs to Stuyvesant March 30, 1658, in which he says: "I found the government here to consist and be attended to by the Vice-Director or Commander, sitting over military delinquents, with military persons, and over citizens with citizens, as ordered by your Honor, to whom I, upon my arrival, represented and showed the charges, which were to be taken in consideration afterwards."³ From this, Mr. Nead, in his historical notes on the Duke's book of laws, avers that a regular set of laws or ordinances had been promulgated for the general government of the settlements along the river soon after the conquest by the Dutch, and that Alrichs' instructions contemplated their continuance—"a conclusion," says H. G. Ashmead, "which is doubtless correct."⁴

The earliest recorded appearance of an attorney within the limits of Delaware was at this court of 1658. Alrichs, under date of the 30th of March, writes: "I have also to pay the attorney Schelluyn for salary earned by him in the suit against Dirck Cornellissen Heunich, skipper of the ship "Prins Maurits," but it seemed the expenses ought to be paid out of the deposited sum, the proceeds of the sale of goods, unless your Honor understood we should not consider this."⁵

¹ "Penn. Magazine of History," vol. vii., p. 278.

² "Instructions to Governor Prints," Penn. Archives, Second Series, vol. v., p. 773.

³ Pennsylvania Archives, Second Series, vol. vii., p. 526.

⁴ "History of Delaware County, Pennsylvania," by Henry Graham Ashmead.

⁵ Pennsylvania Archives, Second Series, vol. vii., p. 528.

The courts for the company's colony were held for several years at Fort Altena (as Fort Christina was renamed by the Dutch), under Vice-Director William Beekman, and the sittings occurred "three or four times during the year, according to demand or circumstances." It was the policy of the Dutch at first to retain in office the Swedish magistrate, as the majority of the colonists were of that nationality, but after the lapse of two or three years some of them were appointed from among the Hollanders. In 1663 the court having jurisdiction in the company's colony (the territory north of the Christiana), and sitting at Fort Altena, consisted of Vice-Director Beekman, Oele Stille, Mats Hanson and Peter Cock, commissioners, and about the same time the court sitting at New Castle consisted of Magistrates or Commissioners Hans Block, Israel Helme, Petes Rambo, Peter Cock and Peter Alrichs. Magistrate Cock thus appeared to occupy a place in both courts. These officials were retained in place by Governor Nichols, according to the terms of the articles of capitulation, when the English under Sir Robert Carr subjugated the Dutch in 1664. The articles also specified that "The Scout, the Burgomaster, Sheriffe and other inferior magistrates should use and exercise this customery power in adminis'ion of justice, within their precincts, for six months, or until his ma'ties pleasure is further known." On the 21st of April, 1668, Governor Lovelace commissioned Sir Robert Carr as "Shcout," and Block, Helme, Rambo, Cock and Alrichs as Councilors, "to advise, hear and determine by the major vote what is just, equitable or necessary in the case or cases in question." In the following year, for the Whorekill (or Hoornkill) and the surrounding territory, it appears that Heermanus Fredrickson was appointed "Scout" and Slander Matson (Alexander Mollestine) Otto Wolgast and William Cleasson as commissioners with magisterial powers. This is the earliest mention of the establishment of anything like a judicial tribunal in the region of the present Lewes in the State of Delaware.

The judicial system of England was steadily but slowly pushed into practice by Governor Lovelace and made to supplant the Dutch dispensation of justice. This was shrewdly done, and so gradually that no sudden shock unsettled the people, but it was done surely, and whenever circumstances permitted. The Governor did much to enhance the dignity of the bench and to hedge it round with all the pomp of circumstance and power, causing, among other things, that the King's arms should be emblazoned in the sitting places of the courts and borne aloft upon the staves of the court officers.

A case which must be ever memorable as the

first trial by jury upon the Delaware occurred in 1669, and offered Governor Lovelace an opportunity to make several radical innovations in criminal procedure. This was no less than the trial at New Castle of the "Long Finn," Marcus Jacobs (or Jacobsen), *alias* John Binckson, *alias* Mathews Hincks, claiming to be a son of the Swedish General Coningsmarke, for insurrection. The "Long Finn" was arrested in August or September, 1669, and was speedily brought to justice. In his instructions as to the form of court for this trial the Governor, after directing that "a jury of twelve good men be empannelled" and prescribing the form of oath to be administered to them, proceeded to announce the style of the formal indictment, the essential parts of which were as follows:

"John Binckson, Thou standest here indicted . . . for that not having the feare of God before thine eyes, but being instigated by the devill, vpon, or about the 28th day of August, in 21st year of the Reigne of or Sovereigne Lord Charles the 2d, etc. . . . Annoque Domini 1669, at Christina & att severall other times & places before, thou didst most wickedly, traitorously, feloniously & maliciously conspire and attempt to invade, by force of arms, this Government, settled vnder the allegiance and protection of His Ma'tie, & also didst most traitorously sollicit & entice divers and threaten others of his Ma'ties good subjects to betray their allegiance to his Ma'tie, the King of England, persuading them to revolt & adhere to a forraigne prince, that is to say the King of Sweden. In prosecution whereof thou didst appoint and cause to bee held, Riotous, Routous and Unlawfull Assemblyes, breaking the peace of or Sovereigne Lord, the King, and the laws of this Government in such cases provided. John Binckson, &c., what hast thou to say for thyself. Art thou guilty of the felony & treason layd to thy charge or not guilty? If hee say not guilty, then ask him by whom will thou be tryde. If hee say by God and his countrey, say, God send thee a good deliverance."

After directing how the witnesses should be sworn and give their testimony, the instructions continued—

"Vpon which the Jury is to have their charge given them, directing them to find the matter of Fact according to Evidence, and then let them bee called over as they go out to consult upon their verdict in which they must all agree;"¹

and so on through the details concerning their return and the announcement of the verdict. The "Long Finn" was found guilty and the sentence pronounced upon him is recorded as follows:

" . . . It is adjudged that ye said Long finne deserves to dye . . . Yet in regard that many others being Concerned with him in that Insurrection might be involved in the same Premunire, if the Rigour of the Law should be extended, & amongst them divers, Simple & Ignorant People, it is thought fitt & Ordered that the said Long finne shall be publicly & severely whipt, & stigmatized or Branded in the face with the letter (R), with the inscription written in great Letters, & putt upon his Breast. That hee received that Punishment for Attempting Rebellion, after which that hee bee until hee can be sent & sold to the Barbadoes, or some other of those remoter Plantations."

Whether that portion of the culprit's sentence pertaining to corporeal punishment was carried out is unknown, but it is a matter of record that he was transported to Barbadoes and sold, leaving Manhattan January 26, 1670. Thus ended what may be called the first of the *causes celebres* in the courts on the Delaware.

On May 17, 1672, it appears that a "Towne Court," whatever that may have been, was ordered to be held at New Castle, to be presided over by

¹ Documents Relating to the Colonial History of New York, vol. xii, pp. 467-468.

the bailiff and six assistants, to try all cases of debt or damage to the amount of £10, and from its decisions there was no appeal.

When the Dutch again became, in July, 1673, the sovereign power upon the Delaware they continued the courts at New Castle, Upland, and the one at the Whorekill. The inhabitants on both banks of the Christina Kill were within the jurisdiction of the Upland Court. The English again supplanted the Dutch by the terms of a treaty held on February 9, 1674; but Sir Edmund Andross, representative of the Duke of York upon the Delaware, did not take possession until October following, and it is probable that the courts at New Castle and elsewhere were held under the Dutch authority up to that time. On the 2nd of November the Governor ordered that all of the old magistrates, *except* Peter Alrichs,¹ who had held over in office from the time the Dutch captured the province, should be continued in authority for at least six months.

The justices of New Castle were ordered to hold a Court of Oyer and Terminer February 28, 1675, and May 13-14, the same year, a special court was held at New Castle in reference to highways and churches. At this court Governor Andross was on the bench. Governor Carteret was on the right and Captain Salisbury on the left. Mr. Minville, Mr. ——— and Mr. William Tom, the clerk of all the courts on South River, were also present. The commissions for the magistrates of the several courts were read and all present were sworn.

The first jury of which any account is found was empaneled at this court and was constituted as follows: Samuel Edsell, Thomas Wandell, Joseph Smith, John Jackson, Mart Rosemond, John Desjardins, Otto Ernest, Hendrick Jonsen, Guysbert Direks, Henry Jones, and Ralph Hutchinson. The first case brought was by Sheriff Edmund Cantwell against James Sandelands, of Upland, on suspicion of being the cause of the death of an Indian. The verdict rendered by the commissioners was, "They find him not to be guilty; Hee is ordered to be cleared by proclamation."

On the 15th of August, 1675, the magistrates of New Castle wrote to Governor Andross desiring

"That there may bee more Magistrates named in this Towne for the completing the Bench, Mr. Moll being to goe to Maryland, where his business will keep him most part of the winter Ffop Outhout² when

¹ The reason for the exception in regard to Alrichs, was his too eager and ardent attachment to the Dutch interest. The records of the Sussex County Court concerning the appointment of the magistrates at this time (1673) contain the following: " . . . except Peter Alrichs, Bayliffe, he having professed himselfe to ye Dutch at their first coming, of his own motion, and acted very violently (as their chief officer) ever since."

² Ffop Outhout, sometimes written Fop Jansen Outhout and sometimes Fop Jansen, was earlier than this date a tavern-keeper in New Amstel (New Castle), later purchased land on the east shore, then under juris-

there is ice on the river cannot come over. Mr. Chew living so farre as Apaquenamy not to be relied upon, the same reason for Hans Block in foul weather he being ancient, so are none to be relied on but Capt. Cantwell and Dirick Albertsen, who will make a slender Court, that your Honor would be pleased to send over a new Lawe Booke and if to be got some other paper bookes for the keeping of the records in order, none being here to be purchased."

Just here we may not improperly digress slightly to show that the humble character with the queer name of Ffop Outhout, heretofore mentioned as unable to "come over" when there was ice in the river, serves to prove in history an important and interesting fact, viz.: That New Castle Court had jurisdiction upon the east side of the river—that is, a portion of New Jersey—before the "twelve-mile circle" was drawn. On October 26, 1678, he was chosen by Governor Andross to act with "Overseers, Select Men, or Commoners" on the west side of New Jersey, at Salem or Swamptowne, in the words following: "If any dispute or difference hapen to arise amongst them and old inhabitants of those p^{ts}, that then Mr. ffof Outhout, who hath been an antient Inhabitant there and is now one of the Justices of New Castle, have notice thereof, who is authorized upon such Occasion to bee one of the Court & being there is to preside and you or any four of you to keepe a Court."

The evidence that New Castle Court's jurisdiction extended over a portion of the region on the opposite side of the Delaware is substantiated by a list of taxables taken in 1677 (given in another place) of all living in the jurisdiction of New Castle Court, and containing names of those residing "on ye east side of ye river." Numerous instances are also found of cases before the courts, prior to 1680, of land disputes on the east shore tried in this court.

The Duke of York's laws were formally promulgated on September 22, 1676, by Governor Andross, and his ordinance was reiterated by his deputy Nichols with especial reference to New Castle and Upland Courts the former of which was referred to as the "Court of the Towne, River and Bay." Immediately following the order establishing courts upon the Delaware, in conformity with the Duke's laws, several commissions were issued by "Edward Andross, Esq., Seigneur of Sansmares, Lieut. and Govnr. Gen'all, under his Royal Highnesse, James, Duke of Yorke and Albany, and of all his territories in America." One of these appointed Captain John Collier as commander on the Delaware River and Bay, and another made the same personage sub-collector of His Majesty's customs. Instructions were also drawn up and forwarded to be presented upon the organization of the courts. The preamble recited that,

"WHEREAS, The last year of my being att Delaware upon application of the Inhabitants Representing that my Predecessor, Governor

diction of this court (now West Jersey). He lived there ever after, and was a magistrate until Penn's arrival and perhaps later.

Lovell, had begun to make a Regulation for the due Administration of Justice, according to the Lawes of this Government, Pursuant to wch I did appoint some magistrates and make some Rules for their proceeding the yeare ensuing or till further order. In wch haveing upon mature deliberation By the advice of my Council made some alteration, They are to Remaine and bee in force in forme following."

The purport of these instructions was as follows :

"1st. That the books of laws practiced in New York, Long Island, and dependencies be in force and practice in this river and precincts, except the constables courts, County Rates and some other things peculiar to Long Island."

"2d. That there be three courts held on the several parts of the river and bay as formerly, viz., one at New Castle, one at Upland and one at the Whorekill.

"3d. That the courts should consist of justices of the peace, of whom three should constitute a 'coram,' to have the power of a Court of Quarter Sessions and decide all matters under twenty pounds without appeal; the eldest justice to preside unless otherwise agreed, among themselves.

"4th. 'All small matters under a few pounds may be determined by the court without a jury unless desired by the Parties; as also matters of Equity.'

"5th. That the court for New Castle be held once a month and those for Upland and the Whorekill quarterly.

"6th. By-laws made by the courts for their guidance to be binding for one year.

"7th. Provided for regulating fees.

"8th. Provided for a High Sheriff for 'the town of New Castle, River and Bay to act as in England.'

"9th. Provided for the procuring of books in which a record of all court proceedings was to be kept in the English language.

"10th. Made provision for the appointment of a 'clerke.'

"12th. Enjoined the courts from imposing any 'rates' except by the approbation of the government."

In regard to lands it was decreed that those desiring to take up and become possessed of tracts or parcels of the same, should apply to that court within the bounds of whose jurisdiction the lands might be, and that a certificate from such court should be a sufficient warrant for the surveyor to survey the same.

The first session of the court at New Castle was held on the 10th of October, and that at Upland on November 14, 1676. Both courts at their first meetings requested Mr. William Tom, the former clerk, to deliver the court records to Mr. Ephraim Herman, the new clerk. The first volume of New Castle Court records is opened as follows :

"*Liber A.*"

"Records of ye court of New Castle, in Delaware, Begun ye 10th of October, 1676, ending ye Last of Decemb^r, 1676. Capt. John Collier, commander, was president of the court."

Then followed the organization of the tribunal entered thus :

NEW CASTLE IN DELAWARE, Octob^r, 10th, 1676.

"His Honor, Govern^r Edmond Androm, haveing issued out a commission for New Magistrates and Justices of the Peace in the Towne and Jurisdiction of New Castell, the following persons where this day sworn and establish't in their Places by Captⁿ John Collier and Captⁿ Edmond Cantwell, viz. : Mr. John Moll, Mr. Henry Ward, Mr. William Tom, Mr. Gerrett Otto and Ephraim Herman, Clarke.

"The severall New Commissions Granted by his Honor, the Govern^r, to Captⁿ John Collier, as also to the Justice, wth their Instructions and the Commission to the Clarke being openly Read ; It was ordered that the same should be Recorded.

"By the Govern^r."

"[COPIA.]

"These are to authorize Captⁿ John Collier and Captⁿ Edmond Cantwell, or either of them to give the oaths to the New Magistrates att New Castell and up the River att Delaware, as also at the Whorekill, the doing whereof shall bee yo^r Warrant. Given under my hand in New York the 27th day of Septemb^r, 1676.

"(Signed)

— ANDROM."

In addition to the four justices mentioned as be-

ing sworn into office on October 10th. Ffopp Out-hout, who was not present, was administered the oath on October 12th, and it was taken by Jean Paul Jacquet on the 7th of November following, there thus being six justices or magistrates.

The New Castle Court worked under some disadvantages and perplexities, but its best efforts were devoted to perfecting a system. On October 12, 1676, two days after its organization, it appears that it was agreed "to draw several necessary things for the best interests of the place, &c., into a Peticon and send to his Honor, the Governor, for his approbation, which was accordingly done. But there being no opportunity in a good wyll after, the justices att their court held the 7th, 8th and 9th of November made some alterations in the . . . Peticon and so sent the same to his honor."

The petition pertained chiefly to militia matters, but requested some instructions for the guidance of the court. The justices seem to have been all at sea in regard to what portions of the Duke's laws pertained to the territory in their jurisdiction, and they particularly requested "That your Honor will be pleased to send us a Law booke of his Royall Highness, corrected of all such laws and orders as do not concerne this River."

To this the Governor responded in due season, promising to send the "Law booke" at the first opportunity and giving them instructions upon various topics pertaining to civil affairs, but not particularly connected with the conduct of the courts.

The New Castle Court on February 8, 1676-77, made acknowledgment of the Governor's communication in a manner which indicated that it was appreciated. It began :

"Wee have Received yo^r Honor^s Gracious answer dated y^e 26th of Novemb^r Last part too^m of the 8th of the same month, and doe hereby Returne yo^r honor^s humble thanks for his Reddyness, to Improve all opportunitys for the good of the River, and in particular of this place, whereof we are daily more sensible."

and then continuing, alluded to the building of a prison at New Castle, and various other matters of public business. It was requested that Captain John Collier or the court might be empowered to prove wills and grant letters of administration, and also that some fit person might be appointed as vendue master or the court be empowered to act in such capacity. Lastly, the magistrates requested that his honor might admit of "a General or meeting of all the justices as heretofore (if only for the making up of the Levys, Collecting of General Revenues and other public and General afayres)", or if that were not allowed, that the Governor might point some more expedient way of disposing of such business.

This last request was not granted, the Governor saying in his answer, dated August 14, 1677 that he saw "no need of a General or High Court in the River, every court having power to make it-

ting rates for the highwayes, Poor, or other necessaries, as is practiced in England." The other requests were favorably responded to.

The fact that the justices of the court at New Castle were constantly seeking instructions from the Governor and making suggestions in regard to changes shows that they were keenly alive to the needs of the people and the peculiar conditions of the times and the new settlement. In this respect the New Castle Court was far superior to the one at Upland, which kept upon the even tenor of its way, complacently ignoring, so far as they could, the new needs of the people and the changes, modifications and advancements made and contemplated by the newly introduced judicial system. Unfortunately, some of the earliest records of the court have been lost. They were very poorly kept by William Tom who was clerk, until he was superseded by Ephraim Herman in the fall of 1676. The former was then ordered to deliver to the latter "The records of ye Court & other Publique Books and Writings." These were accordingly delivered at the court held June 5, 1677, and forwarded to Governor Andross who, as they were very obscure and poorly written, ordered that they be copied into a "fitt booke." In March, 1678, the matter again came before the court, and thereafter nothing further appears concerning these valuable first records, nor have they since been found.¹

Returning from this digression, it may be remarked that the next court (pursuing the regular order) which was held at New Castle was upon Sept. 4, 1677. Magistrates John Moll, William Tom, Fopp Outhout, Jean Paul Jacquette and Garret Otto were present. The commission of Captain Christopher Billop as commander on the Delaware River and Bay was read, but, contrary to the custom which had been observed up to this time, he was not made the presiding officer of the court. To this position John Moll was elevated, and he served acceptably as president justice until October, 1683.²

¹ Judge William G. Whiteley has been known to say that when he was prothonotary an old book of records was abstracted from his office. This may have been the court record referred to, which, could it be found, would doubtless clear up many matters now in the dark.

² John Moll was very prominent in New Castle and Delaware in the seventeenth century. He was one of the justices of the Court at New Castle during the entire period of the Duke of York's government, and was for some time its presiding justice. The New Castle Court was an appellate tribunal for all the courts on the Delaware. He was named as commissioner, with Ephraim Herman, in a deed of feoffment from the Duke of York to William Penn to give possession and seizin of the town of New Castle and a circle of land twelve miles around it. His account of the ceremony is curious. He says that on the first arrival of Mr. Penn at New Castle from England, in October, 1682, the commissioners considered for twenty-four hours the deeds which Mr. Penn showed them from the Duke of York, and then, "by virtue of the powers given us by the said letters of attorney, we did give and surrender, in the Duke's name, to Mr. Penn actual and peaceable possession of the fort at New Castle, by giving him the key thereof to lock upon himself alone the door; which being opened by him again, we did deliver to him also one turf, with a twig upon it, a porringer with river water and soil, in part of all that was specified in the said indenture, and according to the true intent and meaning thereof."

On March 2, 1681, Abraham Man, who was a very troublesome man in

At the sitting of the court on June 4, 1678, there came up a case which baffled the judicial minds that then adorned the bench; but this does not seem so very strange when it is taken into consideration that the singular charge against the defendant was that of *marrying himself* to a woman of the settlement, and that the matter was further made difficult of adjudication by the fact that he was a magistrate and a member of the court. Walter Wharton had married himself, "contrary to the known laws of England and of the laws and customs of this province, and entered the same on his book before having an order or grant from the court." Concerning this case the record contains the following, which shows the court's perplexity:

"The said Walter Wharton, not appearing three following court days, and to the End the Reproach may bee taken away from the River and that such notorious Breaches of the Lawes and disorders may for the future not passe unpunished, Especially on persons of Lower qualitie, whoe if this of Mr. Wharton's (who is in Commission and beares the office of a Justice of ye Peace ought to give good examples to others) had not been Regarded might att all tymes hereafter bee held for a Bad precedent.

The Court doe, therefore, thinke itt necessary humbly for to offer the

the colony, on his own accord in open Court, declared and impeached Justice Moll, saying that he was not fit to sit as Judge and offered to prove his assertion. Justice Moll retired from the bench during the investigation, and the court ordered Mr. Man to give one hundred pounds security to answer and prosecute Moll at the next term of court. On April 6, 1681, Man brought in his indictment of impeachment, but failing to sustain the charges, Justice Moll, on November 1, 1681, resumed his duties as presiding justice.

Mr. Moll was also identified with the Labadist colony which was established at Bohemia Manor in 1684. The Labadists were settled there by Jasper Dankers and Peter Sluyter, missionaries from the Labadists of Wieward, in Friesland, who first visited the colonies under assumed names and made some converts, among them Ephraim Herman, son of Augustine Herman, proprietor of Bohemia Manor. Bohemia Manor was in Maryland adjacent to the Delaware line, and was patented with manorial privileges to Augustine Herman, October 12, 1683, by Lord Baltimore in return for a map of the country made by Herman, and by subsequent additions it was increased to nearly twenty thousand acres lying in both Maryland and Delaware, immediately west of Elk River. Ephraim Herman, a prominent citizen of Delaware, and clerk of the courts on the Delaware River, being the eldest son of the proprietor of Bohemia Manor, persuaded the latter to deed a large portion of the tract to the Labadists for colonization purposes. This was done, and the final conveyance was made August 11, 1684, to Peter Sluyter, *alias* Vorreman, Jasper Danckaerts, *alias* Schilders, of Friesland; Petrus Bayard, of New York; John Moll and Arnoldus de la Grange, of Delaware; embracing three thousand seven hundred and fifty acres, "bounded on the west by Long Creek; north by the great cart road leading to Reedy Island, in the Delaware; east by the Appoquinimink path leading from the great cart road to the head of Bohemia River, and south by the Bohemia River." This land was subsequently known as the Labadie tract.

John Moll and Arnoldus de la Grande released their land immediately to Sluyter and Dankers; Bayard made a similar assignment, in 1686, and Sluyter became sole proprietor ultimately. A few families came over from Wieward and, with some others from New York and Ephraim Herman, constituted the original Labadist colony. Peter Bayard was a New York hatter, a son of Annake Bayard, sister of Governor Stuyvesant. Bayard and Ephraim Herman abandoned their wives and business to join this peculiar people. Herman, however, "soon repented of his folly and returned to his wife, but in less than two years was taken suddenly sick, became crazy and died, fulfilling, by his untimely end, the malediction of his father, who, as it was said, pronounced the curse upon him that he might not live two years after uniting himself with the sect. Augustine Herman died in 1686, leaving a will in which he speaks in emphatic terms of condemnation of the connection of his son with the Labadists." (*Long Island Historical Society*.)

The Labadist community was limited to one hundred persons, with Peter Sluyter as its head and his wife installed as abbess. Sluyter grew rich, dealt in slaves and tobacco and lived well, while the members of the colony suffered many privations. Sluyter died in 1722 and the Labadist colony scattered and none were left five years after his death. In 1698, Sluyter divided up a portion of the land, of which he had become sole proprietor, and conveyed three necks to Herman Van Barkelo, Nicholas de la Montaigne, Peter D. Koning, Derick Kolchman, John Moll, Jr., Hendrick Sluyter and Samuel Bayard.

premises to y^e judgement of his hono^r the Governo^r for to Inflict such punishment as his hono^r, in his wisdom, shall thinke fitt and expedient."

The matter of jurisdiction of the several courts remained vaguely defined for five years after their re-establishment by the English in 1673, but upon Dec. 3, 1678, the boundary between Upland and New Castle Courts was exactly laid down. The record says: "The limits and bounds betweene this court and the court of Uppland are with both courts' consent agreed to be in the boght at Olle Fransen's creeke ortherways called the Stony creeke and so over the river (Delaware) to the singel tree point." The stream that flows into the Delaware at Quarryville, it may be said in explanation, was the old Stony Creek, and the south line of the "boght," while the single tree point was directly opposite upon the New Jersey shore. The bounds of the court so remained until March 14, 1681, when Naaman's Creek was recognized as the north line of the jurisdiction of New Castle Court, and continued until the circle line was struck in 1701, since which time it has remained unbroken. The Whorekill Court held jurisdiction from its organization, in 1673, in the territory now known as Kent and Sussex Counties until 1680, when St. Jones Court, in what is now Kent County, was established. From the dates given, the courts of New Castle, St. Jones and Whorekill continued until reorganized, Dec. 25, 1682, by Penn, as the counties of New Castle, Kent and Sussex, since which time they have been practically unchanged.

That the New Castle Court still retained jurisdiction over certain parts of the eastern shore in 1678 is shown by the following letter from Governor Andross, who speaks also of several other matters of interest, as the law concerning liability of property for debts, etc:

"GENTLEMEN: I have Rec'd you^r addresse in answer to which yo^r desire of a Minister is allowed by the Lawe. A new Commission for Magistrates is hereth sent, and alsoe a Lawe Booke. . . . The Courts have power to order matters Relating to the Surveigho^r in every Respect according to Regulation and Lawe.

"The Booke of Lawes gives directions for weights and measures to bee English; but Antient Custom may bee lookt upon as Lawe and the Publick weight-house is to bee grono^r weights only for above a quarter of a hundred.

"Payment for wolves' heads and other necessary Charges are to Continue on the East syde as formerly.

"When the acts of publick debts are Stated and allowed care shall bee taken for their management as desired.

"Houses and Improved Lands are Lyable to pay debts as well as moveables and where none administers the Court may appoint some Responsible person to doe itt haveing due Reguard to widdowes.

"All favour may be expected as to trade, so that the acts of parliament & orders thereupon bee not Infringed wth due Reguard to the custome-house here.

"The Late Commander is here and to give an acct of his actings on yo^r part and if any have been wronged by him they shall have rights & alsoe any publick matter w^{ch} may further acrow, Rectified as soone as may Bee. I remaine,

"Yo^r Verry affectionate friend,

"ANDROSS.

"New Yorke, Oct. 26, 1678.

"For the Justices of the Court of New Castle, In Delaware."

It does not transpire that anything further of particular interest occurred in the New Castle Court during the remaining years of its continuance under

the Duke of York's government. The greatest good that was done by the court, which seems to have constantly been solicitous for the best interests of the people, was in causing the improvement of roads and regulating the sale of strong drink, from the abuse of which many evils had sprung up in the community. Not only were laws prohibiting the indiscriminate sale of spirits spread on the statute-book, but Governor Andross had repeatedly called the attention of the courts to them and urged the utmost watchfulness concerning their observance. At one time he wrote: "Pray take care and fitting Orders for Ordinaryes, that they bee fitt persons, duly Lycenced and well provided according to Lawe, and that none else be admitted to retaile." The laws of the Duke of York were an improvement upon those of the Dutch, and especially within the jurisdiction of the New Castle Court, where they were for the most part wisely administered; they well served the needs of the time, but they were destined to be supplanted by others in many respects superior to them, and the time was almost at hand.

The last court held in New Castle prior to the arrival of William Penn and the establishment of his government was on the 3d of October, 1682, at which were present as magistrates John Moll president, Johannes De Haes and William Sempill, together with Capt. Edmund Cantwell, high sheriff. There is an entry in the record following the minutes of the court which was made Oct 28, 1682, and is as follows:

"On the 27th of October, 1682, arrived before ye Towne of New Castle, in Delewar, from England, William Penn, Esqr., Proprietor of Pennsylvania, who produced two certaine deeds of feoffment from ye Illustre Prince James, Duke of Yorke and Albany, etc., for this Towne of New Castle and twelve miles about itt, also for ye Twoe Lower Counties of Whorekill and St. Jones's, w^{ch} ad deeds fore date 24 August, 1682, and pursuant to the true Intent, Purpose and meaning of his Royall Highnesse in ye same deeds bee y^e ad William Penn Received possession of ye Towne of New Castle, ye 28th of October, 1682."

Just a month after the last court was held under the Duke's government, the first under Proprietor Penn had its sitting at New Castle, Deputy William Markham presiding. Following is a minute of that court:

"Att a Court Held in the Towne of New Castle upon Delaware the Name of our Sovereigne, Lord Charles the 2nd, by the Grace of God, of England, Scotland, France and Ireland, King, defender, of the faith, and by commission and appointment of William Penn, Esqr. Proprietor and Governo^r of Pennsylvania, etc., on Thursday, the 2nd of November, in ye 35th yeare of his Maj^{ty} Raigne, Annoh Dom, 1682.

"The R^t Hono^{ble} Propriet^r, etc.

"CAPT WILLIAM MARKHAM,

"MAYOR THOM. HOLMS,

"MR. JOHN SIMCOCK,

"MR. THOMAS BRATTE,

} Of the Council.

"MR. JOHN MOLL,

"MR. JOHANNES DE HAES,

"MR. WILLIAM SEMPELL,

"MR. ARNOLDUS DE LAGRANGE,

"MR. JOHN CANN,

} Justices of the Peace.

"The Right Hono^{ble} Proprietor, William Penn, by his publick speech, directed to the Inhabitants in General, did in open Court declare that hee had appointed and called this Court and cheefly to signify and declare unto them in a more publick manner—"

various regulations concerning lands and survey

(given elsewhere in this work), concerning the "Towne of New Castle" (presented in the chapter upon that borough) and upon other matters appropos to the present subject as follows :

"3dly. That if any persons had requests or petitions to present unto him he willed them to doe itt for an answer at ye next Court-day.

"4thly. In Regard that for want of a present Assembly there are not yet fitting Lawes, Regulacions, orders and by-laws for ye Country, provided Hee ye Propriety, therefore, recommended the Magistrates in ye Interim to follow and take the Lawes of his Royall Highness, provided for the Province of New Yorke, for their guide, Soe farr Forth as they are Consistent and not Repugnant to ye Laws of England, assuring ye Inhabitants of this and the other two Counties downward, that they should have and enjoy full, equall and ye same Priviledges wth those of ye Province of Pensilvania, that for future they should bee Governed by such Lawes and orders as they themselves, by their Deputy^s and Representatives, should Consent to; and that hee would call an Assembly for ye purpose, as soon as conveniently might bee, etc."

Penn exercised his usually great common sense in determining to continue for a time the courts already established, and with whose system of administering justice the people had become familiar. It is true that after his government had become well established he made innovations and indeed established a new order of things, but these changes he was not in haste to begin nor in a hurry to carry out, and the result was that the people became accustomed to them by degrees and no violent jarring of the judicial machinery or of the feelings of the people resulted. The changes, too, were brought about by the acts of legislative bodies drawn from the people. The general result of these was the removal of much of the severity from the criminal code and the enlargement of the responsibility of the individual to the community. A law enacted Dec. 7, 1682, requiring all persons who were not by birth subjects of Great Britain, within three months thereafter, to make declaration of their intention to become "freemen," had as one of its results the temporary retirement of the Swedish justices, but most of them qualified and reappeared upon the bench.

With the advent of Penn the trial by jury became a more regular and fixed institution than before. The form of attestation for the jury was given to the New Castle Court Feb. 22, 1683,—

"You solemnly promise in ye presence of God and this Court that you will justify, try & deliver in your verdicts, in all cases depending that shall bee brought before you during the sessions of court according to evidence and ye Lawes of this Government to ye best of yo^r understanding."

The first grand jury in Pennsylvania or Delaware was summoned at the court held at Upland June 27, 1683, and consisted of seventeen persons. One of the new and peculiar adjuncts of the courts under Penn's administration were the "Peacemakers," of whom three were appointed by each court to serve for one year. The litigant parties could refer their difficulties in writing to these peacemakers, and their conclusions were regarded as decisive as those of the court. These were minor innovations and there cannot be said to have been any considerable change in the judicial system until a later period, viz., May 10, 1684, when the Pro-

vincial Court was established, and what was practically a new *régime* went into effect throughout the whole of what is now Delaware. Of this we shall treat later in this chapter. In the mean time it remains to give something of the history of the early, or ante-Penn courts in Sussex and Kent Counties, before following the development of the system which from 1684 was common to all three counties. Though to some extent general in its application, the greater part of the foregoing matter pertains more specifically to New Castle County. The courts of Sussex County rank second in importance and chronology to those of New Castle, and their history follows.

EARLY COURTS OF SUSSEX COUNTY.¹—The Whorekill, as the region round about the present Lewes was originally called, was first occupied in 1658 by a trading-post on or near the site of the now flourishing town. It was successively under the command of Alexander D'Hinjossa and Peter Alrichs. It was practically under the jurisdiction of New Castle Court until 1669, when Governor Francis Lovelace appointed as commissioners or magistrates to constitute a court here Slander Matson (otherwise Alexander Mollestine), Otto Wolgast and William Claessen, and as "schout" or sheriff, Herman Wiltbank. These officials held their positions for several years. A new election was ordered to be held May 6, 1672, and on April 14th of the following year, at a council held at Manhattan, it was ordered :

"That a commission be sent to ye officers and magistrates at Delaware (New Castle), to goe to ye Whorekill, there to keep a Court in his Maj^{ties} name and to make inquiry of all irregular Proceedings and to settle the Government and Officers there as formerly under his Maj^{ties} obedience and the Protection of his Royal Highness for the wch there shall likewise be sent particular instructions."

This evidently was for the purpose of organizing the court in a judicial capacity entirely, as prior to this service it had been partly military in its nature. It is not likely the order was obeyed, for soon afterwards the Dutch came into possession of the territory and Gov. Anthony Colve was in command. The election had been held and in accordance with it he issued the following :

"28th 9^{bre} (November), 1673

His Honor the Governor has selected, upon the nomination by the Inhabitants of the Horekill, the following persons to be Majestates there for the next year:

"MR. HARMONUS WILTBANK,
"SANDER MOLLSTEYN (ALIX. MOLLSTINE),
"DR. JAN ROOTS (RHODES),
"WILLIAM CLAESSEN."

Peter Alrichs, who at once took the oath of allegiance to the Dutch, was appointed "Schout" and commander at the Horekill, September 27, 1673.

Prior to this time, on September 14, 1673, the Dutch Council, in session at New York, had issued an order applying to the whole South River territory, which, among other things, prescribed the juris-

¹ The minutes of the Whorekill, Deale or Sussex Court, from Nov. 8 1661, to 1709 are in the possession of the Pennsylvania Historical Society.

diction of the court at Lewes as follows: "The court for the inhabitants of Horekill to have provisional jurisdiction over the people on the east and west of cape Henlopen and northward to Boomtees (Bombay) Hook."

The territory was in 1674 again captured from the Dutch by the English, and November 2d of that year it was ordered that the officers who were in command in July, 1673, when the Dutch came to these parts, be reinstated.

The oath was administered to the magistrates and officers at the Horekill by Captain Edmund Cantwell, under authority of Governor Edmund Andross, on November 11, 1674. Dr John Roodes, one of the magistrates, was killed by the Indians shortly after the reinstatement.

The courts under Gov. Andross were all reorganized by instruction dated September 25, 1676, in which he declares "that there bee held three Courts in the several parts of the River and bay as formerly: to wit, one at New Castle, one above att Upplands, another below at the Whorekill. That the court for New Castle bee held once a month, to beginn the first Tuesday in each month, and the Court for Uppland and the Whorekill quarterly, and to begin the second Tuesday of the month or oftener if occasion." At this time authority was given the court at Whorekill, the same as at New Castle and Upland, to grant warrants for land to settlers, subject to approval at New York.

From this time on for a couple of years there was no occurrence of especial importance in the Whorekill courts, but on the 8th of October, 1678, we find that a new board of justices were chosen, viz.: John Avery, Francis Whitwell, Alexander Mollestine, John Kippshaven, Luke Watson John Rhoads and James Wells—all, but two, according to the evidence of their names, English. Cornelius Verhoofe was made clerk, and in July, 1679, John Vines was appointed sheriff. Under this court the civil affairs of the district were continued until the division of the Whorekill in February, 1680, and the formation of that part of its territory north of Cedar Creek into St. Jones County or District. Following this, upon May 26th, the court was reorganized by the commissioning of Luke Watson, John Rhoads, John Kippshaven, Otto Woolgast and William Clarke as justices of the peace "at the Whorekill and its dependencies, the said court to begin at the south side of Cedar creek, and soe to go downwards."

Upon the reorganization of the court, in 1680, William Clarke was chosen clerk in place of Cornelius Verhoofe, who was requested to "give over to the new clerke the minutes of the court," which he refused to do, and on the 14th of August, 1681, the "commander-in-chief authorized the magistrate at Deale to make search for and if found to deliver to William Clarke, the present clerke, and if not

found to bind Verhoofe over to next court for trial." It is not known whether the minutes were found or not, but they are not known to exist and no account of the clerk's trial is found upon the records.

The first jury impaneled within this jurisdiction was at the court held in February, 1681, and consisted of Alex. Draper, Alexander Mollestine, Colonel Johnson, Alexander Chambers, William Ecola, Henry Stretcher, Robert Johnson, William Townsend, Richard Williams, John Oakey, Robert Fuike and William Prouting.

A change of the name of the district or county was brought about this year (1681). A petition from divers inhabitants had requested such a change, and it was granted. In the minutes of the court held November 8th and 9th, at which were present Justices Luke Watson, John Rhoads, William Clarke and John Kippshaven, it is mentioned as being "held at Deale, for the Towne and County of Deale." The chief business of this court for several sessions was granting land to settlers.

Shortly after William Penn's acceptance of the territory upon his arrival at New Castle, John Moll, president of the court there, Ephraim Herman, clerk, and Edmund Cantwell visited the lower counties and obtained from the justices of Deale an acknowledgment of their allegiance to the proprietor and recognition of the authority of his government. On the 29th of October, 1682, Penn wrote from Upland to the magistrates of the lower counties as follows:

"These are to desier you meet me next Thursday, noe called at the Towne of New Castle, being the second of November, where I intend to hold a general court for the settling the jurisdiction of these and your parts in which you will oblige

"Your loving friend,

"Wm. Penn.

"Upland, the 29, 8ber 1682.

"If there be any person of note or others that desier to be present they may come freely with and desiered to communicate.

"W. P."

Penn commissioned the justices or judges of the court by the issuance of the following document:

"I doe, in the King's name, hereby constitute and authorize you, Luke Wattson, William Clark, John Roodes, John Avery and Hermanus Wiltbank, or any three of you to be judges and court of judicator for the county of Whorekill, alias New Deale, to act in the said employment and Trust for the preservation of the peace and justice of the province. Hereby willing and charging all persons within the said limits to take notice hereof. And accordingly to yield you all due and just obedience in the discharge of your said Trust, and this command to be of force for the space of one whole year from the date hereof until further orders.

"Given under my hand and seal In New Castle, this 7th day of November, 1682.

"Wm. Penn.

"To my loving friends, Luke Wattson, Wm. Clark, John Roodes, John Avery, Hermanus Wiltbank."

After receiving the foregoing, the justices subscribed to the following oath of office, viz:

"In pursuance of our said commission, according to law, do hereby, In the presence of God, declare and solemnly promise, by the help of God, to be just and faithfully discharge the same in obedience to our said commission, and act therein according to the best of our understanding.

"Witness our hands and seals this fourteenth day of November, 1682.
 "Witnesses present:
 "EDWARD SOUTHRIN,
 "WM CLARK,
 "JOHN HILL,
 "HENRY STRETCHER."

"LUKE WATSON,
 "JOHN RHODES,
 "HARM WILT BANKS."

Passing over for the present, some matters which pertain to all of the courts in what is now Delaware, (and to which we shall hereafter revert,) we find that William Penn, in a communication to this court, under date of December 25, 1682, bestows upon the county its present name of Sussex, and decrees the bounds of the court's jurisdiction.

"William Penn, proprietor and Governor of Pennsylvania and Territory thereunto belonging.

"By virtue of authority devolved unto me I do hereby, in the King's name, constitute, appoint and authorize you, William Darvall, Luke Watson, Norton Claypoole, John Rhoads, Edward Southrin, Robert Hart and John Kipbaven, to be Justices of the Peace in the jurisdiction of the Whorekill which my will and pleasure shall from henceforth be called by the name of Sussex, the extent thereof shall be from the maine branch of Mispillion Creek, called the three runs, northward and southwards to Assawomet Inlet. Reputed and accounted Cape Henlopen, which said Cape Henlopen, I will, from henceforward have called by the name of Cape James, and you or any four of you to be a court of Judicature.

"Given under my hand and seal, at Chester, the 25th day of 10 mo., 1682. Being the second year of my Government.

"(Signed)

WM. PENN."

The justices acknowledged this commission and certified to the same on the 9th day of January, 1682, O. S. (1683, N. S.) and as the last clause of the entry is peculiar, it is here given: "And if we shall unwittingly and willingly act or doe any thing contrary to law or fidelity to our proprietary and the trust reposed in us by him, we doe hereby oblige ourselves to suffer and undergoe the same fine or punishment that the matter shall in law . . . (illegible) as if we had actually taken an oath."

The following letter of the same date as the preceding one was sent by Penn to the justices of Sussex:

"To my loving friends, William Darvall, Luke Watson, Norton Claypoole, John Rhoads, Edward Southrin, Robert Hart and John Kipbaven, Justices of the Peace, for the County of Sussex and those friends,

"Since it hath pleased God to put the government of the west side of the Delaware River and Bay into my hands, I cannot, but in good conscience, endeavor to promote justice and righteousness among the inhabitants thereof, knowing that he who is the Judge of the quick and dead, will remember us for good if wee forget not him, and that a government laid and begun by the love of Equity and true judgment will not fall of prosperity. I therefore, most earnestly recommend to you who are the ministers of Justice for the County you live in vigilantly and fidelity, that you may neither neglect nor prevent Justice, and in order, thereunto, that you keep your courts with Constancy and Gravity, and that you have your ears open to hear all, as well the poor as the rich, and in all cases to judge according to the truth of the evidence without fear, affection, favour or reward, that God may bless you and the people bless you which seldom faileth to be the reward of wise, just and virtuous Magistrates. I doe also think fitt that an exact catalogue be returned to me of the names of all the people of your county, Masters, Mistresses and servants, parents, children, also the number of acres each free-holder hath, and by whom and when granted, all in distinct columns with a Mark, or non-residents that have claims, and if any disputes should arise about title of land they must be determined according to the Rules and orders that the court of your county has limited and prescribed for the seating and improving of Land. And so I bid you all heartily farewell.

"Given at Chester the 25, 10 mo., 1682, In the second year of my Government,

"WM. PENN."

The opening of the Court upon April 27, 1683, was attended with unparalleled *eclat* from the fact

that William Penn and his deputy, William Markham, were present. The justices on the bench on this occasion were William Darvall, Luke Watson, John Rhoads, Robert Hoit and John Kipps-haven. At this Court the proprietor confirmed the following action concerning the "peacemakers," who have already been mentioned as a peculiar adjunct of the New Castle Court:

"This day Henry Jones, Norton Claypoole and Alexander Draper is by the Inhabitants of this county, chosen and appointed to be Peacemakers, to end and determine all differences that shall any wayes happen or arise between man and man, if they can, for one whole year ensuing from the date hereof which said peacemakers are ordered and appointed by the Governor and the rest of the court to sett about such matters the last Thursday of the week in every month."

The persons chosen took the oath of office the next day. On the same day, at the same Court, Alexander Mollestine, Herman Wiltbank, Cornelis Verhoofe, Cornelis Johnson, Ifframe Henry, Cornelis Pluckhoy and Anthony Harmon were naturalized.

That some of the justices of the Court and attending officials transgressed the prime proprieties of place and time, if they did not violate actual law, appears from an entry in the minutes of the Court held on the 11th of December, 1683. It seems that upon that occasion John Vines, the Sheriff, Henry Stretcher, Andrew Draper, Alexander Mollestine and Luke Watson were each fined fifty pounds of tobacco "for smoking tobacco in the court-house."

The Courts of Sussex were held continuously at Lewes until 1792 when they were removed to Georgetown. It appears from the records for 1706, when one Luke Shields called upon the Court for compensation for past labors, that the curious custom of calling the Court together by beating a drum, prevailed during the early years at Lewes, and that Shields was the functionary to whom this duty was assigned. This was one of the latest lingering vestiges of the military idea in connection with judicial tribunals. The Provincial Courts were held at Lewes from time to time as occasion required, and the first Chief Justice of the State, Ryves Holt, was a resident of that place.

Here we must take leave of the Sussex County Courts as a separate institution, only pausing to say that it was again graced by the presence of Penn on August 12, 1684; but we shall revert to them again in that portion of this chapter devoted to the consideration of the systems of tribunals developed by the Quaker proprietor and his successors in authority, and applying with equal pertinency to all these counties.

FIRST COURTS OF KENT COUNTY—The territory now Kent County was embraced in the jurisdiction of the Third Judicial District of the Duke of York's government, on the Delaware, known as the Whorekill, from the establishment of a regular court in 1673 until the winter of 1679-80, when a fourth judicial district was established

called St. Jones. The first Magistrate, viz.: Francis Whitwell, John Hilliard, Robert Hart and Edward Pack received their commissions dated May 18, 1680, and held their first court in June following, at the house of Edward Pack, one of their number, who then lived on a tract of land called "Town Point," it being the first fast land on the north side of St. Jones Creek, above its mouth. At this court the record shows that no business was done except granting lands.

In August following it appears that the court was much alarmed about the threatening attitude of Lord Baltimore, whom they apprehended was about to invade their jurisdiction. On the 10th of the month they addressed a petition to Captain Anthony Brockholls, then in command at New York, craving protection against the Governor of Maryland, "whom," they wrote:

"We do expect every day to come and subdue us with force and arms to bring us under him and also hath made proclamation, who will come into this presunks to take Land, he will maintain their Intrest and take from us those privileges granted us under this government wh^{ch} is intended, as we understand, About the Later part of this Instant month, to make their progress both in surveying of land and also settle a Corte under his Authorety, we do not know how he may Deall with us, for we have sene a very bad aspect before us for some few years past which was the rune of many of your peppel which had their houses and provisions Burnt, which may be our case if we do Apose them, so we humbly crave your Instructions how we shall act for our safety, expecting, if it be your honor's pleasure, by this bearer, for if it be as it is reported that his royal hines hath serendered it to Mr^r Lord Baltimore, we must submit, so being satisfied til we can have report from your honor, rest in obedience to your honor's pleasure.

"(Signed)

FERRA WHITWELL,
"JOHN HILLIARD"

Although there is no exact or absolute authority for the statement, it is evident that the name of St. Jones County was changed to Kent, and the jurisdiction established, practically as it now is constituted, upon the 25th of December, 1682, at the same time that the name Sussex was bestowed upon the southern county.

The seal of Kent County was ordered at a council held in Philadelphia, March 23, 1683, to be "three ears of Indian corn." Courts were held at the original meeting-place until after 1688, where the place was changed to the "Ordinary," of James Maxwell, which then stood on the site of the present Dover Water Works, near Dover, where they were held until a court house was built in 1697, on the town plot, on the site of the present court-house, on the public square in the town of Dover. Here the courts were held until the court-house lot, whereon the old court-house then stood, was sold to John Linsey, February 22, 1722. A court-house was built on the site of the present State-house, where courts were continued until the sale of the building to the State in 1873, when a new court-house was erected on King Street and the Public Square, where the courts are now held. A new court-house was erected on the site of the old one in 1788, which gave accommodation also to the Legislature of the State, and was used in common until 1873, when the State

purchased the property and refitted it entirely for their purposes.

THE COURTS UNDER THE PROPRIETARY AND COLONIAL GOVERNMENTS.—As heretofore intimated the changes brought about in the County Courts or Courts of Common Pleas and General Quarter Sessions, underwent no abrupt changes under Penn's government. They were the object of repeated legislative enactment, but these were for the most part, of so little importance, that we shall not attempt to follow them. By an Act of October 27, 1701, three justices were made to constitute a quorum. They were given powers of "good delivery;" could award process; hold all manner of pleas of the crown; exempting felonies punishable by death. Their practice was made to conform as closely as possible to that of the Common Pleas of England, and "all fictions and color in pleadings was to be avoided. The court had equity powers and jurisdiction in all maritime matters not cognizable by the admiralty court. Appeals were allowed from the final judgment of these courts, and as at present, the party appealing was required to enter security. The Courts of Quarter Sessions did not appear as distinct from the County Courts until after the partial separation of the three lower counties from Pennsylvania consummated in 1704. An Act of the Assembly of New Castle, Kent and Sussex Counties in 1719 instructed the courts somewhat minutely upon various matters. They were to have jurisdiction in all cases of high and petty treason, observing in trial for the same, the directions of the statute laws of England. Some of the provisions of the act in regard to punishments were peculiar although in strict accordance with the law of England. For instance, the statute against stabbing passed in the first year of the reign of King James was extended here. This took away "the benefit of clergy" from the prisoners. For "disabling the tongue, putting out an eye, slitting the nose, cutting off the nose, or cutting off or disabling any limbs or members of any of the King's subjects," the culprit was to suffer death as in cases of felony, without benefit of clergy. King James' statute against "conjuraton, witchcraft, and dealing with wicked and evil spirits" was also extended here, and this clause was not repealed until June 5, 1779, when it was replaced by a provision for punishing pretenders to "conjuraton," etc. The act of 1719 made burglary punishable "by death without benefit of clergy," whether the felonious intent of killing or stealing was committed or not. The burning of dwelling-houses or even of buildings not inhabited, if they contained property, was also made a capital crime. Persons concealing robbers, burglars, felons or thieves, or receiving or buying goods from them, knowing them to be stolen, or being convicted of the same were to be "burnt

with a T upon the brawn of the left thumb," which "marks were to be made by the Goaler in open court, as is usual in Great Britain." Lesser crimes were to be punishable by imprisonment in the houses of correction, for which purpose it was enacted, the prisons in the respective counties should be used until others were provided. Subornation of perjury was punishable by a fine of £40, one-half to go to the governor for the benefit of the province and the other half to the "party grieved." In cases where this was not forthcoming, the offender was to be imprisoned for six months, and "stand on the pillory the space of one whole hour in some market or public place where the offence was committed." All of these offences were to be tried by juries¹.

Some curious provisions were made early in the eighteenth century (during Lieutenant-Governor Gordon's term, 1726-36) by an act creating a special tribunal for the trial of negroes, (slaves). This act made it lawful for any two justices of the peace who should be particularly commissioned by the Governor in their respective counties, together with six of the most substantial freeholders, to hear and determine all offenses committed by negro or mulatto slaves. The Court of Justices and freeholders was to sit at the usual places for holding courts, and they had power to acquit or condemn according to the evidence produced, and order execution of sentence. In case the justices or freeholders neglected their duties, they were subject to a fine of five pounds. The court had cognizance of capital crimes. Slaves condemned to death were valued, and two thirds of their value were paid to the owner out of the County treasury. Some of the punishments were exceedingly barbarous. Attempted rape of a white woman by a negro, was to be punished by standing the criminal four hours in the pillory at the Court House on some court day, with both of his ears nailed to the pillory, and before he was taken from the same, both ears were to be cut off close to his head. In case of theft by a slave his master was compelled to make restitution, and the negro was to be whipped. Negroes carrying arms without the master's special license were to receive twenty-one lashes on the bare back, and if any negroes above the number of six not belonging to one master, should assemble, not on lawful business of their owners, each one was to be whipped at the discretion of the court with any number of lashes not exceeding twenty-one. The special court for the trial of negroes was not abolished until February 4, 1789, when its powers were conferred upon the courts of General Quarter Sessions of the Peace for each county.²

The duties and powers of the Courts of Quarter Sessions and of the Court of Common Pleas were

enlarged and systematized by an elaborate law adopted by the General Assembly of New Castle Kent and Sussex, during the term of Lieutenant-Governor Gordon (1726-1736). This law entitled "an act for the establishing courts of law and equity within the government," pertained also to the Supreme Court, but that part of it is elsewhere summarized in this chapter. By its provisions the Courts of Quarter Sessions were to be held four times a year in each County, as formerly, and dates were specified for their sittings. The Governor was to commission a "competent number" of justices in each county, any three of whom might hold the General Sessions of the Peace and Goal Delivery "according to law, and as freely and effectively as any Justice of the Peace, Justices of the Assize, and Justices of Oyer and Terminer, or of Goal Delivery may or can do." They could take recognizances for the peace, returnable, according to their nature to the Court of Quarter Sessions or the Supreme Court of Oyer and Terminer. Courts were to sit for three days at each term. Cases could be carried to the Supreme Court upon writs of error.

Courts of Common Pleas were by the provisions of the same act decreed to be held four times per year in each County at the time and places that the General Quarter Sessions were directed by three justices commissioned by the Governor or Lieutenant-Governor. These courts were to "hold Pleas of Assize, *scire facias*, replevins, informations and actions upon penal statutes and hear and determine all and all manner of pleas, actions, suits and causes, civil, real, personal and mixt" the same as in the corresponding courts of England. They could also hold special courts, and courts of equity, the latter near the times of the regular sessions. This equity jurisdiction was by the Constitution of 1792, separated from the common law courts, and vested in a chancellor, but during its continuance of this power the Court of Common Pleas was virtually a Court of Chancery and its rules and practice were patterned after those of the High Court of Chancery in Great Britain. No matters determinable by common law were heard in the Equity Court, and when matters of fact arose they were tried in the Courts of Common Pleas.

Still another court was established in each County under the Colonial government, called "the Court of Delegates," and composed of three persons who were authorized to hear and determine all appeals from the Register for the Probate of Wills.

Jury trials have been shown in the early portions of this chapter to have become a fixed institution of the Courts within the territory now Delaware, as early as 1675, and it is probable that a jury was impaneled in 1669, for the trial of the

¹ Laws of Delaware, Vol. I, pp. 64-70.

² Laws of Delaware, Vol. I, pp. 102-104.

"Long Firm." The jury of 1675 was impaneled in the New Castle Court, and there were others in that court during the succeeding years, but it is not probable that the two lower counties with their smaller population had very frequent need of this adjunct of the courts, and record of them does not occur often during the years prior to 1700.

The first grand jury is mentioned in the records of the Sussex County Court of May, 1687, and this was in all probability the first within the present limits of the State. It consisted of Richard Law, Richard Harney, John Fritchberg, Jacob Warren, Anthony Intoyre (McIntyre?), Francis Williams, Edmund Benbrick, Rodger Gum, Michael Chambers, Charles Bright, Richard Ward, John Richards, Henry Peddington.

No act distinctly relating to juries was passed by the General Assembly of the three counties on the Delaware, until about 1730, and up to that time juries were summoned and impaneled under the old Duke of York's laws. A peculiarity of the law alluded to was a provision that all Grand jurors were "to serve the space of one whole year, notwithstanding their being sworn at each respective court to attend that present service only." In 1742 a law was enacted making it the duty of the sheriff to summon twenty-four Grand jurors and forty-eight Petit jurors, ten days before the court, the former to be chosen from among the "most able, sufficient and substantial freeholders, within their respective bailwick," and the latter from "the most discreet and judicious freeholders."¹ From these the juries were to be drawn and the law continued the old provision that the Grand jury should serve for one year. The jury law was somewhat changed by later enactments and considerably altered by the act of February 2, 1793.

The Orphans' Court had its origin in 1683. Prior to that time, from at least as far back as 1676, all duties pertaining to the settlement of estates, were discharged by commissioners especially appointed to act in the capacity of administrators or executors, who made a final accounting to the court, but an act of March 10, in the year mentioned, provided that the justices of each county court should sit twice in every year, "to inspect and take care of the estates, usage and employment of orphans, which shall be called the Orphans' Court." In New Castle County the first sitting of the Orphans' Court occurred on March 2, 1686, and in Kent and Sussex there are no earlier sessions recorded. An act passed May 10, 1688, extended the jurisdiction of these courts to the control of decedents' estate, with power to order sales of real property for the payment of debt, or the maintenance or education of children, the support of the widow or the disposition of a part

of the land to raise funds for the improvement of the remainder. It was necessary, however, that the Governor or council should approve of the exercise of these powers. The court was only contemplated as a temporary institution, the law distinctly stating that it was to be in force for one year and no longer, but it became so important a factor in the mechanism of government that it had a permanent place, although frequently the object of amendatory statutes. An act passed early in the administration of Governor Keith (1717-1726) "by and with the consent" of the General Assembly of the three counties on the Delaware, enlarged and definitely defined the powers and duties of this court. It provided that "the justices of the Court of General Quarter Sessions of the peace in each county, or so many of them as are or shall be enabled to hold those courts" should in the same week they were directed to hold those courts, or at such other times as they might "see occasion," should hold a Court of Record, to be called "The Orphans' Court." They were to "award process, and cause to come before them all and every such person and persons who, as guardians, trustees, tutors, executors, administrators or otherwise, are, or shall be entrusted with or anywise accountable for, any lands, tenements, goods, chattels, or estate belonging, or which shall belong to any orphans, or any persons under age," and exact from them inventories and accounts, and also to cause the Register or such person as should have the power to probate wills and granting letters of administration, to bring true copies of all bonds, accounts, etc., as should relate to such estates. Elaborate instructions followed, which, though of no particular interest or importance here, and beyond the scope of this chapter, indicate that the usefulness of the Orphans' Court had in the early part of the eighteenth century become fully recognized, and that it was a fully organized and well equipped institution.

No high appellant's court existed under Penn's government (save that constituted by the Governor and council) until May 10, 1684, but upon that date an act was passed creating a Provincial Court, to consist of five judges. This court was to sit twice a year in Philadelphia, and two of its members at least were required twice every year, in the Spring and Fall, to "goe their circuits into everie respective county in the province," and hold courts of appeals, and also to try all criminal causes of a high grade, questions of land title and other cases of which the county courts had no jurisdiction. That part of its jurisdiction relating to land was however abolished in the following year, but at the same time the powers of the court in relation to criminal cases were enlarged and more exactly defined. Those with the cases of appeal were to be the chief subjects of the courts

¹ Laws of Delaware, vol. I., 241.

inquiry. The number of judges was reduced to three, but, after a time the number was restored to five. Under the colonial government all criminal cases punishable with death were tried before the Provincial or Supreme Court, and for that reason very little concerning such cases is found in the records of the old county courts; unfortunately the greater portion of the records of the Provincial Court were lost. The judges of this court frequently, but not with absolute regularity, visited the counties of New Castle, Kent and Sussex. That they did not always make their appearance when they ought and were expected, appears from an entry in the records of the Sussex County Court, held at Lewes, in the year 1697. William Dyse, the sheriff of the county, presented a bill against the county at the December term of court in that year, "for his trouble and disappointment in providing accommodation for ye Provincial Circular Judges, who should have held court here on ye 13th October last past but came down no further than Kent County."

The Court gave the account, forty shillings, to the Grand Jury, who allowed it, and addressed a letter to the Court, a part of which is as follows: "and farther with other inhabitants of the county desired the Court would enter it upon record that the said judges having had due notice to attend as above said and not coming, they look upon it not only a great breach and Trespass in point of Law, but gave grounds of much dissatisfaction, slight and abuse to ye county, and great infringement of privileges in general as well, a delay and wrong to private persons interested in ye appeals then and there pending, and further desired ye same might be so represented to ye Government and General Assembly to be next held." What action was taken in the matter does not appear.

By an act passed February 10, 1710, the judges of the Supreme Provincial Court (as it had by that time come to be called), were not required to go their semi-annual circuits outside of Philadelphia unless cases were pending in the counties for trial and commissions of oyer and terminer were issued by the Governor. This act was repealed by Queen Anne and on the 20th of July, 1714, Lieutenant-Governor Gookins following the precedent of Governor Evans, published an ordinance of like tenor, establishing the general courts in the provinces.¹ The first act affecting the courts by the council of the three lower counties on the Delaware, partially separated from Pennsylvania in 1704, was passed in 1719, and applied only incidentally to the Supreme Court, enlarging its powers somewhat in common with those of the other courts. This act is interesting, as containing

the first mention made in the law of Delaware concerning the allowance of affirmation in lieu of oath, from deference to the scruples of the Friends or Quakers.

An act of much more importance, and bearing particularly upon the Supreme Court which was established as a distinctly Delawarean institution, was passed by the General Assembly of the counties of New Castle, Kent and Sussex, early in the term of Lieutenant-Governor Gordon (1726-1736). This provided that the "Supreme Court of the counties of New Castle, Kent and Sussex, upon Delaware," should consist of three judges, to be commissioned by the Governor or Lieutenant-Governor, one of whom was to be distinguished as chief justice. These judges were to hold a Court of Record twice every year in each county, viz.: on October 5th and April 21st, at New Castle; on October 9th and April 25th, at Dover, and October 13th and April 29th at Lewes. The judges, or any two of them, were to have power to hold the courts alluded to "and therein to hear and determine all causes, matters and things, cognizable in the said court and also to hear and determine all manner of pleas, complaints and causes in law or equity, which shall be removed or brought there from the respective General Quarter Sessions of the Peace, . . . by Writs of Certiorari, Writs of Error or Appeal, or from any other court of law or equity of this government." They were also to correct the errors of justices of the peace, punish the faults of officers and "generally administer justice as in the King's bench in Great Britain;" and were to have general powers of "goal delivery."²

All of these provisions were repealed and supplied by "an act for the better regulation of the Supreme Court within this government," passed April 28, 1760. This law did not make any change in the name of the court, nor did it materially change the time of sittings in the several courts. It provided for an increase of the number of judges from three to four, one to be known by the title of Chief Justice as before, and any two to have power to hear and determine causes. A new feature under the act of 1760, was the right of appeal from the decision of this tribunal "to his majesty in council, or to such court or courts, judge or judges, as by our lord the King, his heirs or successors, shall be appointed in that part of Great Britain called England, to receive, hear and judge of appeals from his majesty's plantations,"³ a provision which it is needless to say was abrogated by the Constitution of 1776. The next act relating to the Supreme Court passed June 16, 1769, enacted but little more than a

¹ History of Delaware County, Penn. By Henry G. Ashmead, Esq.

² Laws of Delaware, Vol. I, pp. 122-123.

³ Laws of Delaware, Vol. I, pp. 374-379.

change in the dates of holding courts, and no essential modifications were brought about until the formation of the Delaware State.

The attorney's oath was first prescribed by a law passed in 1704 by the General Assembly sitting at New Castle "for preventing abuses and irregularities" in the courts within Her Majesty's government. Section 7 defined the qualifications of an attorney and presented the form of oath. Concerning the former it was enacted "That before any Attorney, Solicitor or other person whatsoever, shall be admitted to plead for any reward or fee in any of the courts of this, Her Majesty's government, such Attorney, Solicitor or other person, . . . shall take the oaths and repeat and subscribe the declaration prescribed by act of Parliament in England and shall take the oath hereafter mentioned, viz.:"

"You shall do no falsehood or deceit, nor consent to any to be done, in this court, to your knowledge; and if you know of any to be done you shall give knowledge thereof to the chief justice or any other justices of this court, that it may be reformed; you shall delay no man for lucre or malice, having reasonable fees first allowed you for the same; you shall plead no foreign plea, nor sue any foreign suits, unlawfully to the hurt of any man, but such as shall (according to your judgment) stand within the order of the law and your own conscience; you shall not wittingly or willingly sue, or procure, to be sued, any false suits, nor give aid or consent to the same, on pain of being expelled from this court forever.

And further, you shall truly use and demean yourself in the office of an attorney within this court, according to your learning and discretion, So HELP YOU GOD."¹

A law passed thirty years later prescribed further qualifications as follows: "Thou shalt behave thyself in the Office of an Attorney within the Court, according to the best of thy learning and ability and with all good fidelity *as well to the Court as to the Client.*" The same act provided that attorneys should subscribe to the foregoing qualification, and instructed the courts "That there may be a competent number of persons of an honest disposition, and learned in the law, admitted by the justices of the . . . courts to practice as attorneys there, who shall behave themselves justly and faithfully in their practice."²

The provision in regard to subscribing to the declaration "prescribed by act of Parliament in England" which was a part of the law of 1704 was of course repealed after Independence had been declared—in fact was repealed by act Feb. 22, 1777, and the Constitution of 1792 provided that the political test and oath of office for attorneys and others should be "by oath or affirmation, to support the constitution of their State and to perform the duties of their respective offices with fidelity."³

THE COURTS UNDER THE STATE GOVERNMENT.—Some important innovations and sweeping changes were introduced by "the Constitution or System of Government of the Delaware State, formerly styled the Government of the counties of New Castle,

Kent and Sussex upon Delaware" which was ordained September 20, 1776, by the convention of deputies called for the purpose. This instrument of which the authorship is traditionally ascribed to Thomas McKean, provided in its twelfth section that:

"The President (of the Delaware State) and General Assembly shall by joint ballot appoint three Justices of the Supreme Court for the State, one of whom shall be chief Justice, and a Judge of Admiralty, and also four Justices of the courts of Common Pleas, and Orphans' court for each county, one of whom in each court shall be styled Chief Justice (and in case of division on the ballot, the President shall have an additional casting voice) . . . who shall continue in office during good behaviour" and receive, "an adequate fixed but moderate salary. . . . The Justices of the Peace shall be nominated by the House of Assembly, That is to say, They shall name twenty four persons for each county, of whom the President, with the approbation of the Privy Council, shall appoint twelve, who . . . shall continue in office during seven years if they behave themselves well."⁴

Oddly enough, as it seems at present, it was ordained that "the members of the Legislature and Privy shall be Justices of the Peace for the whole State during their continuance in trust" It was also provided that the justices of the Courts of Common Pleas should be "Conservators of the Peace" in their respective counties. The justices of the Courts of Common Pleas and Orphans' Courts were to have the power of holding Inferior Courts of Chancery as theretofore, unless the Legislature should otherwise direct.

Appeal was allowed in all matters of law and equity to a court of seven persons to consist of the President of the State, at the time being, who was to preside, and six others, to be appointed, three by the Legislative Council and three by the House of Assembly, to continue in office during good behavior. This was known as "The Court of Appeals."

The courts as constituted in 1776 underwent but little change until the adoption of the Constitution of 1792. The most important items in their history during that early period of the State's existence were the transference of the Admiralty Judges' jurisdiction from the State to the Federal government by the Constitution of the United States framed in September, 1787; and the substitution in 1789 of regular trial by jury in the Court of Quarter Sessions, of slaves charged with capital offenses, for the old plan adopted early in the century, of trial before a special court consisting of two justices and six freeholders, which tribunal was abolished.⁵

The Constitution of 1776 provided for a Court of Common Pleas, and an Orphans' Court of the counties of New Castle, Kent, and Sussex, independent of the Superior Court of the State. These courts were presided over by a chief justice and three associate justices, and continued until abolished by the Constitution of 1792.

¹ Laws of Delaware, I., p. 56.

² Laws of Delaware, vol. I., p. 33.

³ Constitution of 1792, Article IX., Laws of Delaware vol. I., p. xlvil.

⁴ Constitution or System of Government adopted in 1776, Laws of Delaware, vol. I., Appendix, pp. 85, 86.

⁵ Laws of Delaware, vol. II., p. 943.

The justices were as follows for New Castle County :

| | | |
|--------------------|------------------------|-----------------|
| 1777. | John Jones..... | Chief Justice. |
| | James Latimer..... | Second Justice. |
| | John Thompson..... | Third Justice. |
| | Abraham Robinson..... | Fourth Justice. |
| February 10, 1781. | James Latimer..... | Chief Justice. |
| | John Thompson..... | Second Justice. |
| | Abraham Robinson..... | Third Justice. |
| | Richard Cantwell..... | Fourth Justice. |
| February 2, 1788. | Thomas Macdonough..... | Third Justice. |
| | Thomas Robinson..... | Fourth Justice. |
| January 22, 1791. | Thomas Macdonough..... | Second Justice. |
| | Thomas Robinson..... | Third Justice. |
| | Alexander Porter..... | Fourth Justice. |

For Kent County :¹

| | | |
|--------------------|-----------------------|-----------------|
| April 8, 1777. | Thomas Tilton..... | Chief Justice. |
| April 8, 1777. | John Clarke..... | Second Justice. |
| April 8, 1777. | Richard Smith..... | Third Justice. |
| April 8, 1777. | Thomas White..... | Fourth Justice. |
| June 20, 1778. | Thomas Rodney..... | Chief Justice. |
| February 6, 1779. | John Clarke..... | Chief Justice. |
| October 22, 1779. | Richard Lockwood..... | Second Justice. |
| June 18, 1782. | Thomas Collins..... | Chief Justice. |
| June 24, 1786. | Richard Smith..... | Second Justice. |
| June 24, 1786. | Thomas White..... | Third Justice. |
| June 24, 1788. | James Bellach..... | Fourth Justice. |
| February 15, 1788. | John Clayton..... | Fourth Justice. |
| January 21, 1791. | Thomas White..... | Chief Justice. |
| February 5, 1790. | James Bellach..... | Second Justice. |
| | John Clayton..... | Third Justice. |
| | John Davis..... | Fourth Justice. |

For Sussex County :

| | | |
|--------------------|----------------------|-----------------|
| 1777. | John Wiltbank..... | Chief Justice. |
| | William Polk..... | Second Justice. |
| | John Laws..... | Third Justice. |
| | Isaac Smith..... | Fourth Justice. |
| February 14, 1781. | John Clowes..... | Fourth Justice. |
| June 10, 1788. | John Clowes..... | Third Justice. |
| | Alexander Laws..... | Fourth Justice. |
| October 21, 1788. | John Clowes..... | Second Justice. |
| | Alexander Laws..... | Third Justice. |
| | Peter T. Wright..... | Fourth Justice. |
| February 1, 1792. | Peter Robinson..... | Second Justice. |
| | Charles Polk..... | Third Justice. |
| | Isaac Cooper..... | Fourth Justice. |

By the Constitution of 1792—adopted June 12th—it was ordained (Article VI. Sec. 1) that “The Judicial power of this State shall be vested in a Court of Chancery, a Supreme Court, and courts of Oyer and Terminer and General Goal Delivery, in a Court of Common Pleas and in an Orphans’ Court, Registers’ Court, and a Court of Quarter Sessions of the Peace for each county, in Justices of the peace and in such other courts as the Legislature, two-thirds of all the members of each branch, concurring, may from time to time establish.” A general provision gave the Governor the power of appointing all the judges.

The most important change brought about by the Constitution of 1792 (Article VI. Sec. 14) was the separation of the equity jurisdiction theretofore exercised by the judges of the Court of Common Pleas, from the common law jurisdiction and its investment in a chancellor, whose office was then created. It was provided that this new member of the judicial branch of government should hold courts of chancery in the several counties. Cognizance of cases in which the chancellor was in-

terested, was to belong to the Court of Common Pleas with an appeal to the High Court of Errors and Appeals.

The last mentioned court was created by the Constitution (Article VII.) which provided that it should consist of the chancellor and of the judges of the Supreme Court and Court of Common Pleas, any four of whom could proceed on business. The chancellor was to preside except when he could not sit judicially, in which case the place was to be filled by the Chief Justice of the Supreme Court. If any of the judges had rendered judgment or passed a decree, in any case before its removal to the High Court of Errors and Appeals, he should not sit.

The Orphans’ Court which theretofore had been composed of judges of the Quarter Sessions, was by the Constitution of 1792 constituted of the judges of the courts of Common Pleas, with power in any two to act. It was invested with the equity jurisdiction formerly exercised by the court except in adjusting and settling the accounts of executors, administrators, and guardians. Appeals were allowed to the Supreme Court. A radical change was made by an amendment to the Constitution ratified February 5, 1802, by which the powers of the Orphans’ Court were vested wholly in the chancellor who was to sit in each county.

The Supreme Court was made to consist of not fewer than three or more than four judges, who by virtue of their office were also to constitute the Court of Oyer and Terminer and General Jail Delivery in the several counties. The Court of Common Pleas was to be composed of the same number of judges. The jurisdiction both of the Supreme Court and the Common Pleas extended over the State, and any two of the judges could act as if all were present.

The Registers’ Courts were to be held by the Registers of the several counties, in whom was vested the probate of wills, granting of letters of administration, and the settlement of the accounts of administrators and guardians. When causes were ligated an appeal was allowed to the Supreme Court, and in case of accounts to the Orphans’ Court.²

The several courts as ordained in 1792 came under the provisions of the Constitution on the first Tuesday of October, 1793. They were regulated and their powers more exactly defined by various acts, as those of June 14, 1793, February 7, 1794, and February 7, 1795, but until the change brought in the orphans’ court by the constitutional amendment of 1802, heretofore noted, no essential modification ensued, and in fact there was no other important legislation upon the courts after that time, until the adoption of the Constitution of 1831.

¹ There also occurs in minutes of Kent County Courts, the following officers of Court of Quarter Sessions for Kent County: July 18, 1785, Charles Ridgely, President; April 12, 1786, Nehemiah Tilton, President.

² Constitution of 1792, Laws of Delaware, Vol. I. pp. XXVIII-XLVIII.

The courts as they exist at present were ordained by the third Constitution, approved December 2, 1831. Section 1, Article VI, of this instrument provided that "The judicial power of this State shall be vested in a Court of Errors and Appeals a Superior Court, a Court of Chancery, an Orphan's Court, a Court of Oyer and Terminer, a Court of General Sessions of the Peace and Gaol Delivery, a Register's Court, Justices of the Peace," and such other courts as the General Assembly might establish. It will be noticed that the most important change here effected was the extinguishment of the Supreme Court and the Courts of Common Pleas. To fill their place the Superior Court was created, and given the entire jurisdiction formerly vested in them.¹ To compose the several courts of superior jurisdiction mentioned there were to be five judges in the State. One of them was the Chancellor who was also the president of the Orphans' Court. Of the other four composing the Superior Court, Court of Oyer and Terminer and Court of General Sessions of the Peace and Gaol Delivery, one was to be Chief Justice of the State and the other three Associate Judges, one to reside in each county.

The Superior Court was made to consist of the Chief Justice and three Associate Judges, but as it was provided, that no associate should sit in the county where he resided, it may be said to be virtually composed of the Chief Justice and *two* Associates—and such in fact is the language of the Constitution. Two of the judges constitute a quorum, and in the absence of the Chief Justice the senior associate of those whose sitting is permissible, presides. This Court has "jurisdiction in all causes of a civil nature, real, personal and mixed, at common law, and all other the jurisdiction and powers" formerly vested in the Supreme Court and the Court of Common Pleas.

The Court of General Sessions and Jail Delivery is composed in each county of the same judges and in the same manner as the Superior Court and its jurisdiction and powers are the same as those vested in it prior to 1831.

The Court of Chancery is held by the Chancellor. It has power to hear and determine all matters and causes in equity and when the Chancellor is interested, the Chief Justice, sitting in the Superior Court without the Associate Judges, has jurisdiction, with an appeal to the Court of Errors and Appeals, in such cases to consist simply of the three Associate Judges, the Senior presiding.

The Court of Oyer and Terminer consists of all the judges except the Chancellor, three constituting a quorum. This court which has no regular term, being only held upon a precept issued by the judges has jurisdiction in all offenses, capital in their na-

ture, and of the crime of manslaughter and of being accomplice or accessory in such crime.

The Orphans' Court in each county is held by the chancellor and the associate judge residing in the county, the former presiding. Either in the absence of the other may hold the court. When they concur there is no appeal from their decision, except in the matter of real estate, but in such cases or when a decision is made by only one of them, there is right of appeal to the Superior Court for the county, the decision of which is final.

The Register's Court in each county was not affected by the Constitution of 1831, except in the matter of appeal, which it was provided should be made to the Superior Court instead of the Supreme Court as formerly.

The Court of Errors and Appeals was ordained by the Constitution of 1831, (Section 7, Article vi.) to have power to issue writs of error to the Superior Court and to receive appeals from the Court of Chancery, and to determine all such matters finally. The court upon a writ of error to the Superior Court must consist of three judges at least, viz: the chancellor who presides, the associate judge, who could not because of his residence sit in the cause below, and one of the associates who did sit in the cause originally. The method of determining which one of the associates is to sit is prescribed in a long clause of the Constitution. In case any judge required to sit in the cause below did not sit he is required to sit in the Court of Errors; and if any judge who did sit in the cause below and whose turn it is to sit in the Court of Errors, be absent or disqualified, then either of the other judges who sat below may sit in the court. Upon an appeal from chancery the Court of Errors and Appeals consists of the chief justice and three associate judges. Provision was also made for the removal to this tribunal of cases from the Superior Court, whenever the court should determine that a question of law should be heard before all the judges. In such cases the court is composed of the chancellor and four judges. A judge *ad litem* may be commissioned by the governor when there is legal exception to the chancellor or any judge, provided that such appointment is necessary to constitute a quorum.

The evolution of legal justice upon the Delaware has been followed in this chapter through all of its principal stages, and a cursory view given of the present judicial system, which has remained without essential change for more than half a century. That the system is seriously defective is universally admitted, and that it will be ultimately amended is believed by everybody, but that the masses of the people have been quite apathetic to its improvement is indicated by the rejection of the Constitution of 1853, and the inadequacy of

¹Amended Constitution of 1831, Laws of Delaware, Vol. VIII, p. 12.

the favoring vote upon the question of holding a constitutional convention, in November, 1887. The chief defect lies in the construction of the Court of Errors and Appeals, sitting in causes removed by writ of error from the Superior Court, which makes possible the obviously wrong result of final adjudication by a minority of the judges against the opinion of the majority. The convention which sat in 1853 sought to remedy this and other defects, but the Constitution then framed was rejected by the people. The next attempt at amending the Constitution was made in the Assembly of 1882-83, when an act reforming the judiciary was passed, which subsequently received the approval of the governor. It needed, however, to become operative, a ratifying vote of three quarters of the members in the next succeeding assembly, and this not being given, it was lost.

THE FEDERAL COURTS.—Jurisdiction is also possessed in Delaware by the United States Circuit Court of the Third Circuit, including this State, Pennsylvania and New Jersey, and by the United States District Court for the district of Delaware. The former as originally organized under the Constitution of 1788 went into effect in 1789 in what was called the Middle District of the United States, and James Wilson was its first judge. Its present judge is William McKennan, of Washington, Penn. The court rarely sits in Delaware, sometimes as many as two, three, or even five years, lapsing between its sessions. The Circuit Court has exclusive jurisdiction in patent cases, appellate jurisdiction in admiralty and bankruptcy cases, concurrent jurisdiction with the State courts in equity and common law causes, in which one of the parties is not a resident of the district, and in which over \$2000 is involved; and both the Circuit and District courts have original criminal jurisdiction in causes for the violation of the criminal law of the United States.

The District Court of the United States for the district of Delaware was formed under the provisions of the Constitution and went into operation in 1789, with Gunning Bedford, the younger, upon the bench, and George Read, Jr., as District-Attorney. Gunning Bedford remained judge until 1812, and Mr. Read held the position of clerk until the administration of James Monroe when his son of the same name was appointed. The court was originally held alternately at New Castle and Dover, but for many years it has been permanently located at Wilmington, though special courts may be held in any county.

In the first suit tried, an action by the United States to recover \$400 from Adam Caldwell, on the fourth Tuesday in November, 1789, George Read appeared for the prosecution, and Kensy Johns, Sr. and James A. Bayard, the elder, for the defense. The jury—the first ever empannelled in

this court, was composed of William Lees, Joseph Israel, Joseph Boggs, Levi Adams, James McCalmont, William Pluright, Samuel Preston Moore, James Eves, William Scott, Fresly Lloyd, John Crow and Thomas Aiken. They found judgment for the United States. The next cause was not tried until May, 1792, and such intermissions in activity were not infrequent during the early years of the court. The records until comparatively recent years were very poorly kept, and it is impossible to ascertain many facts which would prove interesting could they be presented. The court at present has regular sessions, held on the second Tuesdays in January, April, June and September. Its business consists chiefly of admiralty causes, cases concerning the violation of the United States criminal laws, and proceedings in bankruptcy.

The District court has jurisdiction derived from the Constitution and the laws of the United States, in all crimes and offenses cognizable under the Federal authority, committed within the district, or upon the high seas, the punishment of which is not capital; of all cases arising under the act for the punishment of piracy, when no circuit court is held in the district; of all suits for penalties and forfeitures, under the laws of the United States; of all suits at common law brought by the United States; of all suits in equity to enforce the lien of the United States upon any real estate for any internal revenue tax; of all suits for the recovery of any forfeiture or damages; debts due by or to the United States; of all causes arising under the postal laws; of all civil causes of admiralty and maritime jurisdiction; of all proceedings for the condemnation of property taken as prize; of all suits by the assignee of any debenture for drawback of duties, issued under any law for the collection of duties; of all suits authorized by law to be brought by any person for the recovery of damages on account of any injury to person or property, or of the deprivation of any right of a citizen; by any act done in furtherance of a conspiracy; of all suits at law or in equity authorized to be brought to redress the deprivation under color of any law or ordinance or usage of any State; of any right, privilege or immunity secured by the Constitution; of all suits to recover possession of any office except that of president or vice-president, representative or delegate to congress, or member of a State Legislature; of all proceedings by the writ of *quo warranto* for the removal of any person from office, excepting a member of Congress or of a State Legislature; of all suits by or against any association established under any law providing for national banking associations, within the district for which the court is held; of all suits brought by an alien for a tort only, in violation of the laws of nations, or of a treaty of the United States, and, of all suits against Consuls, except for offences above

the description aforesaid. The District Courts are also constituted courts of bankruptcy, and have in their respective districts original jurisdiction in all matters and proceedings in bankruptcy.

Judge Gunning Bedford was succeeded by John Fisher in 1812, who in turn was followed by Judge Willard Hall, and he, upon his death, by Judge Edward G. Bradford who died in February, 1884. Judge Wales, the present occupant of the bench, was commissioned upon March 20th following, and was sworn in upon the 29th. Thus but five judges have occupied the bench during a period of almost a hundred years. Sketches of these Judges appear in the next succeeding chapter.

The United States District Attorneys appear to have been especially appointed by the court during the first four years. George Read who appeared in that capacity at the first session of the court and frequently thereafter was regularly appointed in 1795 and held the office until 1817, when George Read, Jr., was appointed and remained in position until 1837. From that time to the present the attorneys have been as follows: 1837 to 1840, James A. Bayard, the younger—(1840 to 1846, a period during which the duties of the office seem to have been discharged by special and temporary appointees) 1846 to 1848 William Horsey Rogers; 1848 to 1852, Perry Sherwood Johnson; 1852 to 1854, Thomas Francis Bayard; 1854 to 1861, Daniel M. Bates; 1861 to 1867, Edward G. Bradford; 1867 to 1868, John L. Pratt; 1868 to 1869, John B. Penington; 1869 to 1876, Anthony Higgins; 1876 to 1880, William C. Spruance; 1880 to 1888, John C. Patterson.

Matthew Pearce appears to have been the first clerk, though this name does not appear until in the year 1790. He was succeeded by John Conway who held the position from 1792 to 1794. He was succeeded by Thomas Duff, Jr., who held the office until 1796, and he by Thomas Witherspoon who occupied the office most of the time until 1831, though A. Johns appears to have held it for a short period dating from 1813. After Witherspoon came W. A. Mendenhall, and in 1840 T. Booth Roberts who was succeeded by Leonard E. Wales in 1849. He gave place to Hanson Harmon in 1865 and he to Charles G. Rumford who was succeeded by Major S. Rodmond Smith, the present incumbent, in 1873. The officials of the court at present are Judge, Leonard E. Wales; United States District Attorney, John C. Patterson; Marshall, Chas. M. Newlin; Clerk, S. Rodmond Smith; U. S. Commissioners, Henry C. Conrad, Charles Kinney, Samuel A. McAllister, Lewis W. Mustard, S. Rodmond Smith.

CHIEF JUSTICES.—The Supreme Court of the Province of Pennsylvania was established under the Royal Charter to William Penn, March 4, 1681, and by order of the Provincial Council, April 1, 1684, and reorganized at different periods.

Under the act of 1684 five justices were commissioned for two years: Dr. Nicholas More, William Welsh, William Wood, Robert Turner and George Eckley. William Welsh is known to have died before July 10, 1684, and William Clarke, of Lewes, was appointed in his place, styled "Justice in General" and was called the President of the counties of Philadelphia and New Castle. He was one of the early settlers at Lewes soon after the occupation by the English, and was one of the magistrates, a surveyor and a member of Penn's Council. He served as president of the courts of Pennsylvania and the Lower Counties until 1707.

Jaasper Yeates, who succeeded William Clarke, was a native of Yorkshire, England, and came to this country soon after Penn. He married Catherine, the daughter of James Sanderland the elder, (one of the early settlers at Upland), and bought in 1697, a tract of land and mill on Naaman's Creek, in Brandywine Hundred, where he resided, and at the same time erected a granary and storehouse at Chester, between Chester Creek and Edgemont Avenue. In 1701, he was one of the burgesses of Chester, and in 1707 became Chief Justice of the Provincial Court of the Lower Counties and served three years; was again chosen in 1717, and died before May 2, 1720, as his will was probated in New Castle on that day. After his death in 1720, Col. John French of New Castle was made chief justice.

Of David Evans but little is known, except that he filled various positions of public trust in the Lower Counties.

Dr. Samuel Chew, a native of Maryland, came to Kent County, about 1725 and purchased a large tract of land near Dover. He was appointed to the position of chief justice in 1741, and died in 1743. He resided at Dover in the Clayton house, adjoining the Court-House, which is also known as the Old Chew House, and was buried on the home farm now the property of Edward O. Eckels, about a mile and a half from Dover. His son, Benjamin Chew, filled several positions in Kent County, and was admitted to practice in Philadelphia in September, 1746, and in Sussex County in May, 1748. He later moved to Philadelphia, where he became eminent as an attorney, and was the founder of the family at Germantown. A daughter of Dr. Samuel Chew became the wife of Edward Tighman, the eminent jurist.

William Till succeeded Dr. Samuel Chew as chief justice, in 1743, and continued until October 26, 1745, when Ryves Holt succeeded to the position. William Till was a descendant of the John Till, who before 1700, settled on "the Neck" in Cedar Creek Hundred of Sussex County. After his retirement from the Bench as chief he was made associate justice August 7, 1754, to succeed Jehu

Curtis, deceased. He was also collector of the Port of New Castle, which position he held at the time of his death, April 13, 1766.

Ryves Holt, of Sussex County, was the first chief justice of the State who is found designated as such in the records of the Supreme Court. Provision for the designation of one of the judges of the Supreme Court as chief justice was made by Assembly enactment some time between 1726 and 1736. In 1745, he sat with Jehu Curtis and Nicholas Ridgely, respectively the second and third justices. He appears to have held the office until 1764, when he was succeeded by John Vining, and the fact that his incumbency continued during more than a score of years, is presumptive evidence that he discharged the duties devolving upon him, satisfactorily. Ryves Holt was a resident of Lewes early in the eighteenth century, but whether a native or not is unknown. He was born in 1696, and was therefore at his death in 1763, in his sixty-seventh year. Much of his life was spent in office. He was Sheriff as early as 1724, and in 1733 was appointed King's attorney for Sussex County, which office he held until he became chief justice, his successor being John Neill. He was also Prothonotary of the county from 1753 until about a year prior to his death.

John Vining, second chief justice, in office from October 30, 1764, to the time of his death in 1770, was another man of character, ability and high standing. He was a native of Salem, New Jersey, and was the son of Benjamin Vining who died while he was yet a lad. His mother, Mary Vining, married Nicholas Ridgely, of Salisbury, Kent County, who, after a short residence in Salem returned to Delaware and settled in Dover. The two children of Benjamin and Mary Vining, John and Mary, were well cared for in the house of their stepfather, and the former at least received, what was for the times, a good education. He married, and remaining in Dover, soon exhibited traits of character and forms of ability which made him a leader in all the public movements of the period. He became a member and speaker of the House of Assembly of "the Lower Counties on Delaware," and in addition to his judicial office held that of prothonotary of Kent County. He died near Salem, New Jersey, November 13, 1770. Of his career, the *Pennsylvania Chronicle*, (Philadelphia), for December 3d, said: In the several offices he bore in the government his conduct was fair, irreproachable and uniform. His opinions in matters relative to freedom, property or life were plain, solid and decisive. He entertained a very high regard for all the well determined claims and rights of mankind, and while he paid a due deference even to the critical and strictest adjudication of law, still his greatest pleasure was in the more ob-

vious dictates of common sense and the milder administration of equity." Chief Justice Vining left a son named John, but commonly called "Jack" Vining, who became an attorney and was a member of Congress.

Richard McWilliams, Jr., in office 1773-77, was born October 9, 1754, and died May 9, 1786.

William Killen was Chief Justice from 1777 to 1793 and chancellor (the first) from 1793 to 1801. A sketch of his life appears with those of other chancellors.

Richard Bassett succeeded Chief Justice Killen and was the first incumbent of the office under the constitution of 1792, receiving his commission September 6th, 1793. He was not only an eminent lawyer and a judge, but Governor of Delaware, a member of the old congress of 1787, and a United States Senator, being elected to that office only a few days after the issuance of his commission as chief justice. He was also a delegate from Delaware to the convention which framed the Constitution of the United States in 1789. He became converted to Methodism and devoted a great part of his energies during his later years to the advancement of that cause. He was a man of wealth and had three homes, one in Dover, one in the Bohemia Manor and another in Wilmington, among which he divided his time. He died in 1815 leaving a daughter, the wife of James A. Bayard, Jr.

George Read, who was one of the signers of the Declaration of Independence was the successor of Chief Justice Bassett and was commissioned September 30, 1793. He held the office nearly six years, or until his death, on the 28th day of September, 1798. A full sketch of his life appears with those of the other signers from Delaware elsewhere in this volume.

Of Kensy Johns, Sr., who succeeded Chief Justice Read, January 3, 1799, and held the office only a few days, a sketch will be found among the lives of the chancellors of whom he was one.

James Booth, Sr., who received appointment, January 28, 1799, after Kensy John's resignation, filled the office for about twenty-eight years, or until his death. Prior to his occupation of this office he had for several years been clerk of the General Assembly, was secretary of the convention which framed the Constitution of 1776 and had held several offices in New Castle County, connected with the courts. He was largely influential in the public affairs of the times, a Federalist in politics. In the Life of George Read, it is said of him: "He was a man of sound judgment, unspotted integrity, and though not trained to the bar, of sufficient legal knowledge. His stature, features and figure were good and his dress and address those of an old school gentleman. He was . . . indebted for his high social position, not to

his birth or family, wealth or influence, but to his exertion, perseverance, tact and good conduct." He was born February 6th, 1753, and died February 3d, 1828.

Thomas Clayton, United States Senator and first Chief Justice of Delaware under the present Constitution, (1832-37), was a son of Joshua Clayton, M.D., a surgeon in the Continental Army, who was subsequently Governor of Delaware. Thomas was born July, 1777, at Massey's Cross-roads, Md., whither his mother had been conveyed to avoid the excitement attending the march of the British army across the State of Delaware. Dr. Clayton was a descendant of Joshua Clayton, who, with his brother Powell, came to this country from Lincolnshire, England, with William Penn. Thomas, his son, received a classical education at the Academy of Newark, which was then in high repute as a place for instruction. At nineteen he began the study of law in the office of Nicholas Ridgely, of Dover, and three years afterwards was admitted to the bar.

Although thus introduced to a company of legal giants, he enjoyed their respect and confidence, and soon obtained a large and profitable practice. In 1808 he was made Secretary of State, under Governor Truitt, and in 1811 he was appointed Attorney-General by Governor Hazlett. In 1814 he was elected a member of the House of Representatives. During this term Mr. Clayton supported a bill, which passed both Houses of Congress, to change the mode of compensating members. For this unpopular act he was defeated at the next election for Representatives in the National Legislature. But the State Legislature demonstrated its unabated confidence in him by electing him, soon after, to hold the place in the United States Senate which Hon. Caesar A. Rodney had resigned to assume the responsibilities attaching to the position of Minister of State to Buenos Ayres. Mr. Clayton took his seat as United States Senator January 15, 1824, in the Eighteenth Congress, and remained in the Senate until the close of the Nineteenth Congress. In 1828 the judiciary of the State was reorganized and Governor Charles Polk appointed the Ex-Senator to be Chief Justice of the Court of Common Pleas. When this court and the Supreme Court were abolished by the provisions of the Amended Constitution, which became operative on the third Tuesday in January, 1832, Mr. Clayton was made Chief Justice of the State. This office he held until January 16, 1837, when he was chosen again to the United States Senate to fill the vacancy made by the resignation of Hon. John M. Clayton. On the 19th of the same month he took his seat in the Senate chamber. In 1841 he was again chosen Senator for the term beginning March 4, 1842. After serving through this term,

Mr. Clayton retired from public life, preferring the privacy and comforts of his home in New Castle, where he had lived since 1833, to the excitements and cares of public station. He died suddenly at his home, August 21, 1854. His remains lie in the cemetery of the Presbyterian Church, at Dover with the ashes of others with whom the course of his eminent public life began.

A career so conspicuously useful must have been the outcome of more than ordinary ability. The endowments of Chief Justice Clayton were not so much of the dazzling as of the effective order, although he did most admirably adorn the positions that he held. His current history shows the place he occupied in the esteem of his fellow-citizens. A signal evidence of his eminence as a jurist as he was estimated by his cotemporaries, is afforded by the appointment of Mr. Clayton to the position of Chief Justice. This appointment was made by Governor Polk under circumstances which subjected the State to the expense of four judges, when, if another appointment had been made, three would have sufficed. By the death of Chief Justice Booth, then residing in New Castle County, it became necessary to appoint a successor. As Mr. Clayton resided in Kent County, his appointment would make an additional judge necessary to satisfy the requirements of the Constitution. Three judges would have sufficed for the State, if the successor of Chief Justice Booth had been selected from New Castle County. But, in order to secure a tried and approved jurist for the vacancy, the governor determined to appoint Mr. Clayton and risk the approval of the people. In his explanatory message to the Legislature the governor said: "I selected the present Chief Justice of the Common Pleas solely with a view to his learning, talents, integrity and superior capacity for the station, which have been amply tested by the records of the court over which he presided." Chief Justice Clayton was profoundly versed in the principles of the law. He had a marvelous skill in perceiving the vital points of a case, largely due to his almost intuitive grasp of fundamental principles. He was prompt in deciding the merits of an issue and felicitous in the precision with which he formulated facts and conclusions. His words were few but masterly in force and point. He is pre-eminent among those who have filled the position of Chief Justice; and such is the esteem in which his learning, acumen and force are held that Delaware lawyers are apt to feel that their cases are practically won if they are supported by a *nisi prius* decision of Judge Clayton. Judge Clayton was eminently impartial in his judicial capacity. Neither distinction of the person nor relationships swayed his judgments. With respect to the lawyers at the bar, he made no difference in the administration of rules between the



W. L. L.



J. Clayton

eminent John M. Clayton and his own son who was a practitioner at the same bar. He meted out to all the same even-handed justice, and required of all the same respectful regard for the law and for decorum.

Instances of this kind were not few. On one occasion, he required his son¹ to "sit down" in open court, because he insisted upon urging points which the chief justice had twice told him were "not law and not *ad rem*."

Hon. John M. Clayton once thought to try the mettle of the Chief Justice by a similar experiment. On the second recital of the same thing he was admonished not to try a third statement. It was not hazarded.

Being ten minutes late one time, he directed the clerk to "fine Thomas Clayton ten dollars." One dollar a minute was a small price for that which was indispensable to all human effort, and when lost or squandered could never be replaced.

Philip Reybold, whose eminent activity and usefulness were known to all the community, was once summoned as a witness, but thought he would first attend to some business of his own in Baltimore before appearing at court. Not appearing until after the second day, the judge asked him for his excuse. Mr. Reybold replied that "he thought he would attend to some private business before coming to court." "Is that your only reason, sir?" asked Judge Clayton. "Yes, sir," said Mr. Reybold. Turning to the clerk, the chief justice said, "Fine Philip Reybold twenty dollars." Then to the sheriff he said, "Take charge of Mr. Reybold until he complies with the order of the court."

John Middleton Clayton. There can hardly be imposed a much more difficult task than that of writing a *short* memoir of the professional career of one, who, in his day, (and that not a distant one) held so high a rank as a lawyer as did John M. Clayton. For the last twenty-five years of his life he was statesman, politician, agriculturist; but the fifteen preceding years had been devoted to the law. He was a student of it for three years, and active practitioner twelve. Admitted to the bar in Sussex County in the then Court of Common Pleas, at the October session of 1819, he at once commenced the practice in Kent, and continued, assiduously, to pursue it, until he was elected to the senate of the United States by the legislature at the January session, 1829. After that he ceased to devote much of his time to legal business, and gradually withdrew from the practice. Still, he would, occasionally, when some old personal friend sought his aid, or some case of wrong and outrage challenged his services, enter the legal arena, and do battle with all who came against him, and usually to their defeat. It is

because of the great success that almost always attended his arguments with the court, or addresses to the jury, that it is so difficult to avoid yielding to the impulse of extravagant praise. Besides, it is also so hard to tell, in the case of one so uncommon in almost everything, what can be suppressed without injustice to him. But to the task.

John M. Clayton was the first son of James Clayton and Sarah Middleton, his wife, and was born on the 24th of November, 1796, at Dagsborough, in Sussex, on the spot now occupied by a hotel called "The Clayton House." His father was brother to Dr. Joshua Clayton, the last chief executive officer under the constitution made in 1776, and the first under that of 1792, and was, therefore, uncle to that one of his brother's sons, who, afterwards, became so eminent as chief justice of the State. The Claytons came over with William Penn, and were, originally, Quakers. Sarah Middleton, John M. Clayton's mother, was of an Eastern Shore family of consequence; her maiden name was made his middle name, and he was John Middleton Clayton. His Christian name was bestowed upon him from the affection his father bore to his brother, John Clayton, who was at one time sheriff of that county where he resided, and also judge under both the constitutions mentioned. Young Clayton was, therefore, well-born; and was, moreover, a scion of a stock remarkable for robust persons, fine health and strong sense. His father is said to have been a very remarkable man, not only for intelligence and cultivation as a student of the English classics—Shakespeare being his favorite author—but for a sturdiness of understanding, and vigor and aptness of expression, which impressed all who knew him. His mother had remarkable fluency of speech, and grace and sweetness of manner in delivery of it, that captivated her listeners. Their children inherited more or less these combined qualities, but none in so great a degree as the subject of this sketch.

When he arrived at sufficient age to be sent far away to school, he was taken to a New England village and there fitted for Yale where he was afterwards matriculated, and whence he was in due time graduated, with the highest honors of his class. Returning home, after an uninterrupted absence of nearly five years, he soon after entered the office of his cousin Thomas Clayton as a student; and, when the rules of court allowed, was duly admitted to the bar, as is mentioned before. But he had spent two years of his student term at Litchfield, Connecticut, at a law school of great renown there, presided over by the distinguished Judge Gould. It is said of him that so anxious was he to master the law before he undertook its practice, he studied at Litchfield sixteen hours a day. Certainly he must have been a very laborious student there, for he brought home with him

¹ Colonel Joshua Clayton.

five quarto volumes of closely written manuscript of notes of the lectures by his preceptor.—It cannot but be thought very beneficial, in fact to Clayton, that simultaneously with his admission to the bar, came the financial troubles of his father, which broke him down entirely and soon carried him to his grave—thus throwing upon the young man, and a brother-in-law, the duty of providing for the family the father had left. Of a very sensitive and affectionate nature, Clayton shouldered his burden manfully and willingly; and, thanks to troops of kind, devoted friends, who took up his case and upheld him in his efforts, and to the splendid training he had had for professional life, at college, law school and law office, he soon entered upon a career of success at the bar, which had never been attained here before his day. This was not merely good fortune in a pecuniary point of view, but fame, distinction, renown. So distinguished was his progress, that report of it went over the State, and beyond it. While other young men were but stepping cautiously and fearfully along the path of professional life, he strode over it; not with any false assurance, but with a real consciousness, that he knew its every turn. And he did know the road, as an admiring bench, and fascinated juries and audiences testified by their close attention to all he said. And the hold he thus gained upon the attention of an audience of whatever kind, was never weakened, to the last hour that he stood up to speak in public. It was impossible to resist the influence of Clayton, when he addressed an audience. None but the judiciary could avoid yielding to his power of speech; it was so cogent in its terms, so persuasive in its utterance. A thorough master of human nature, which he had made a part of his study; a rich copiousness and yet simplicity of language which enabled him to clothe his thoughts with perfectly intelligible speech; a large figure, commanding and handsome; and an earnestness of manner with graceful and yet forcible gesticulation, it is hard to say what could be wanting to make the perfect orator. And yet, as oratory is generally understood—studied attitudes and gestures, and fine figures and flowers of speech—he had not a particle of it. But as it is better understood—the supreme power of captivating an audience and holding it as long as he chose, by vigorous thought and no less powerful speech, he certainly has never had in this State, an equal, and but few superiors anywhere. The moment he arose to speak, all eyes were turned upon him; and every murmur of conversation in the assembly was hushed. The dullest knew that a great treat was about to be given. Clayton never disappointed his audience; he was always interesting; and, when the occasion called for it, powerful in his manner and speech. He went to the bottom of every question he under-

took to discuss; and avoided none that required to be considered. In this way he impressed his auditors with his candor, and the conclusions he compelled, assured them of his great power as a reasoner as well as orator. The acuteness of one's intellect and skill in marshaling facts and theories in support of a proposition, are never so well shown as in the trial of a cause before a court and jury. The public always take a lively interest, whatever their opinions may be as to the merits of the particular question debated, in the intellectual struggles of those actively engaged in the discussion. A debate upon whatever subject, with strong men engaged in it, will always attract a crowd; but whether such body will remain an attentive listener, or draw away from lack of interest, depends entirely upon the reasoning or oratorical powers of the speakers. How much soever the people admire the fine speeches of the florid orator, they are fixed in their admiration of the reasoner, and hang upon every word that falls from him, provided, he has the art, which comes by nature, of incorporating, as it were, his mind and feelings with theirs. It was the ability to do this that gave Clayton his great advantage over other speakers. Others might reason cogently, but their manner had neither vigor nor attractiveness; he had the power of logic, with the skill of the rhetorician in all its art and effectiveness. He was not one of those men who never shine, but, upon some great occasion, (not counting for much in the requirements of social and political life) but his sensitive nature and alert and active mind fitted him for interesting displays of ability upon all proper occasions. Looking back at the career of Clayton at the bar, it is impossible not to regard him, taking the shortness and success of his life at it, as altogether the most extraordinary lawyer every way the State has produced. And such was his legal reputation, that in a very few years after he entered political life in the Senate of the United States, he was made Chairman of the Judiciary Committee, the highest honor, at that day, of the body.

In the beginning of the January session 1837, of the Legislature of the State, Mr. Clayton having resigned the United States Senatorship to which he had been re-elected in 1835, Thomas Clayton, the chief justice, was elected to fill the unexpired term. This made a vacancy (upon the acceptance by the chief justice) in that office, and Governor Polk induced Mr. Clayton to accept it, though he wanted very much to retire to private life. He retained the place for about three years, when he resigned it.

The career of John M. Clayton upon the bench was too short for any protracted display of judicial ability, but it was long enough to show him to the public as a prompt and ready and thoroughly well



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In the beginning of the January session of the Legislature of the State, Mr. Clark having resigned the United States Senate to which he had been re-elected in 1864, Mr. Clayton, the chief justice, was re-elected on an unexpired term. This was a great acceptance by the chief justice of the Governor Polk's desire. Mr. Clark, although he wanted very much to continue in it. He retained the position until the 1st of March when he resigned it.

The career of John M. Bayne was too short for any profound study, but it was long enough to public as a prompt and ready re-



From the
Photo. C. L. L. L.

equipped judge and master of the law, and as carrying upon the bench with him those same fine qualities of heart and manner that distinguished him in private life. Courtesy, urbanity, considerateness were his essential characteristics. His charges to the jury were transparent pieces of address, his aim being to put the case upon the testimony of both sides so clearly before the jury, that the dullest member of it could comprehend it. His great power of illustration and of exemplification enabled him to do this perfectly. Toward every member of the bar he was respectful and kind, hearing all where there was ground for question, with attention and patience. From his judgments there was never a writ-of-error. He was particularly kind, also, to young practitioners; helping them out of their troubles when he could do so with any propriety, and encouraging their efforts, not only by attention but also by those looks of encouragement which a face so eloquent as his, could show forth. There was, every where, a universal expression of regret when he gave up the bench.

While the main purpose of this sketch is to exhibit John M. Clayton, as a logist, (a memoir of him generally having been written for, and published a few years ago by 'the Historical Society of Delaware') yet it would not be at all complete, nor comport with the purpose and quality of this "History of Delaware," if it did not contain an account, although it must necessarily be a brief one, of his career, as politician and statesman.

By the use of the first of these terms, it is not meant that he was a political man in the sense of being a mere partisan leader, concerned above all things for himself, though professing unmeasurable regard for everybody else; he was nothing of the kind. As the sole leader of his party, from 1828 until he retired from politics practically, upon the death of General Taylor in 1850, he had its interest alone at heart, asking nothing for himself, and rarely seeking to influence appointments by the Governor or legislature. This concern for that interest was because he believed his party to be right in its own aims, whatever might be its errors of action from unsagacious counsel. In that party, as such, he found but little to condemn. He believed it to be a party better suited to the requirements of the country than its opponent and therefore to be maintained and upheld with courageous spirit. He looked upon it as a party of safer purposes than was its rival; with a wider view of the needs of the nation as a growing political society, and with less of the disposition so apparent in those times, to compromise the true public weal by solicitations of votes. It is most probable, viewing Clayton socially as an individual, and with respect to his habit of ease and personal comfort (only suppressed by necessity of

mental activity (in his legal practice) that he had no ambition for party leadership, which entails the necessity of so much mental exercise, and involves one in so much strife and vexation also. But when the great contest came on in 1828, between Adams and Jackson, the Adams' party in Delaware had no one else in it who was qualified to take command of it, and regulate its action. It was the dominant party; but nearly every political man of distinction in the State—old Federalist and old Democrat—was a Jackson man. And the leading Federal newspaper in the State, indeed the only one, the *Delaware Gazette*, was a Jackson organ. Clayton was a Federalist, as was all his family, under the old state of things. As such, he had been clerk of the legislative houses, auditor of accounts, member of the lower house, and secretary of State, under Governor Samuel Paynter, to fill the vacancy in that office occasioned by the resignation of Henry M. Ridgely, chosen for the Senate of the United States to fill the place of Nicholas Van Dyke, deceased. He was also secretary under Charles Polk. Still he had not gone much into politics, as people say. But when the campaign for President to succeed Adams, culminated in vigor in that year (it had been in progress from the time he was elected by the House in 1824), the call of the Adams party in Delaware was for Clayton as its leader. He responded to it, and gave up his time and talents to securing its ascendancy in the State. He was successful; success was his, when he attempted anything.

The new Legislature, elected in 1828, had to elect a senator of the United States; and Clayton was chosen, though he did not seek the place. In fact he accepted it reluctantly, for various reasons. He took his seat in the senate the day General Jackson was inaugurated, 4th of March, 1829, wanting then near five months of being thirty-three years old.

Webster, Clay, Benton, Grundy, White, Holmes, Robbins, Calhoun, Livingston and Hayne were there, besides other distinguished men. The great *nullification debate*, as it has been called, took place in 1830, upon a resolution about the public lands introduced by Senator Foote, of Connecticut. Clayton entered into it, though having only three months' experience of senatorial life, and discussed all the topics involved in it; public lands, executive power of removal, and the right of a State to nullify an act of Congress. His speech gained him great applause on all hands as an uncommon performance in one so young; and he was, at once, given a high place of rank as an orator and statesman. He also spoke on the graduation bill and appropriation bill, important public measures. In the first week of the session of December, 1831, he introduced his celebrated

resolution to inquire into the abuses of the post-office department. With the greatest possible opposition on the part of the administration, whose appointments, under the system of removal from office then undertaken with vigor, filled that branch of the public service he toiled in his duty, which finally resulted in a report sustained by the fullest proof, showing a rankness of corruption in the public service of the post-office department which shocked the public sense all over the country.

Notwithstanding, the great influence and power of Mr. Clay, and his prestige of ability to compromise difficulties which other statesmen were powerless to deal with, he yet was unable to effect any arrangement of the tariff system in 1833 that would satisfy the quiet portion of the country, and also repress the turbulent spirit then rife in South Carolina, threatening not only nullification, but secession also. He had championed a bill in the Senate to regulate the tariff which, in fact, was not acceptable to the tariff men, nor to the nullifiers. Things seemed to be at a dead-lock, as it is said, when Clayton took the matter up and obtained the appointment of a special committee which afterwards reported the bill, that the North generally supported and which the South, as represented in the Senate, was compelled to support also. Thus Clayton was in fact the pacificator in 1833, more than any other member of Congress. This is set forth at length in the memoir before referred to.

The appointment of John M. Clayton to the chairmanship of the Judiciary Committee of the Senate—the highest honor that body could confer—necessarily threw upon him the duty of passing upon all the legal and constitutional questions that arose. He had able supporters in the other members; but the labor of investigation and preparation of reports was with him. So well satisfied was the Senate with its choice of him, that it was renewed at every election until he left the Senate in January, 1837. None but one reckoned as the first lawyer of the dominant party in the Senate is ever elected chairman of the Judiciary Committee.

The limited space allowed for this sketch forbids that, except in a particular matter hereafter treated, more should be attempted than a simple statement of some of the important events of his senatorial life. In 1832 he spoke upon the Apportionment Bill: in 1834 upon the celebrated *Protest* of General Jackson, and the Removal of the Deposits; in December 1835 on Benton's famous National Defense resolution, a snare laid for the Whigs. (In the meantime, Clayton had sent in a letter declining a re-election to the Senate, which his friends in the Legislature disregarded and sent him back.) It was in the debate upon that resolution, that he made his splendid defense of Webster from the attack made on him in the House by John Quincy Adams.

In 1831 a State Convention was called to amend the Constitution. It met in November 1831 and gave to the people the Constitution under which we now live. The most important of the amendments, those relating to the Judiciary, are his. All the delegates signed it, and it was put in operation by the people's representatives, the Legislature, in 1832. Some of the members of that body were very able men: but he was, unquestionably, the master mind among them.

On the 25th of August, 1836, Mr. Clayton received from President Day, of Yale College, a letter announcing that he had been honored with the degree of LL.D., by that body.

On the 16th of August 1839 Clayton resigned his office of Chief Justice. In 1842 he removed from Dover to the town of New Castle. At the special session of the Legislature of 1836, he procured the passage of the act to incorporate the Delaware Railroad. It was his preparation also, and he thus became the father of the road, and was made one of the commissioners to lay it out.

At the January session 1845 of the Legislature, Clayton was again elected to the United States Senate. He soon took up the French spoliation question, and by his ability and perseverance succeeded in doing, what no one else had ever done—passing the bill through both branches of Congress. President Polk, however, vetoed it, and Clayton reviewed his message very thoroughly in a speech delivered on the 11th of August, 1846. In the same session the Oregon question ("54° 40' or fight") came before the Senate, and Clayton took part in the fierce debate arising out of it. It was a very fine effort, and tended, greatly, to allay public excitement, which was very high.—Clayton supported the Mexican war which began in 1846—not because he approved it, but that the country being in it, he said, it was our "duty to fight it out."

In 1848 General Taylor, the hero of the Mexican war, was elected President, and chose Clayton, a perfect stranger to him personally, for his Secretary of State, and entirely harmonious relations existed between the President and his Secretary. At the death of Taylor in the summer of 1850, Clayton resigned his post as Secretary and returned home to Delaware, intending never again to go into public life. But an event occurred afterwards which, for the first time, made him desire to be back in the Senate. This was a movement in that body, made by General Cass, afterwards actively supported by Stephen A. Douglas and James M. Mason, to throw discredit upon the administration of General Taylor, for the negotiation of the Clayton-Bulwer treaty. Perhaps, if there was any one achievement of Clayton's public life that he took more pride in than any other it was the making of that treaty. And this was the reason. The British, for a very long time had, under color of

a protectorate of a miserable Indian tribe, squatted along the coast of Nicaragua, in Central America, had established themselves at San Juan de Nicaragua, on the river San Juan (Greytown the British called it), and, after the manner of that people, were asserting rights in that region very much to the annoyance of our own trade along the Central American coast, but offensive also to our people, who had a strong idea that the "Monroe doctrine," so called, was right. Besides, at this time, the subject of an Isthmian canal was a good deal talked of, and certain of our citizens had procured from the State of Nicaragua a concession for a canal to the Pacific by way of the valley of the San Juan, Lake Nicaragua and an affluent of it on the Pacific side. Clayton felt sure that the British had no valid right to any territory in Central America, and availed himself of an occasion which offered in the beginning of 1850, to make a treaty with the representative of England, Sir Edward Lytton Bulwer, about the canal, which he so shaped as to negotiate the British out of Central America entirely. This great success was duly appreciated at the time, and won great renown for the Taylor administration, not only for what the treaty actually secured (among other things the co-operative protection of the canal by England) but because it was the first step that any administration had taken to carry the Monroe doctrine into practical effect.

When the attack on the treaty was made, Clayton was at his home at Buena Vista, near New Castle, suffering all the anguish a father can feel from the recent death of his youngest son, who was of extraordinary promise. He immediately expressed a desire to get back to the Senate to defend the treaty and himself. The Legislature, though the Senate was opposed to him politically, sent him back there, and at the first opportunity he rose to answer the attacks by General Cass. One of the most exciting, and in some respects, important debates ever held in that body, began then, and continued from time to time, irregularly, until it finally closed, and with the universal judgment of those who heard it or read the speeches of the debates, that Clayton had not only vindicated the treaty and the administration of Taylor triumphantly, but that he was more than a match for all his assailants. His friends looked on admiringly while he dealt, first with one of them, and then with another; but they refrained, by their own inaction, from depriving him of any of the meeds of the victor. When it is remembered that Cass and Douglas and Mason took turns of attack upon him, it cannot but be conceded that his abilities must have been of the very first order to have enabled him to come out conqueror.

Clayton's health at this time was sensibly failing; but he was kept in his place by what he felt to be the duty of defending a public measure which he

had approved, and particularly a very special friend who was furiously assailed for the part he had in executing it, in the performance of the duty assigned him in that particular. The bill establishing the Naval Retiring Board is the measure referred to, and Captain, afterwards Admiral Du Pont, the friend. It were too long a service to go into an explanation of the bill and of the part assigned Du Pont in carrying it out, and what he and the other members of the Board did under it. The result was that the navy was rid of many inefficient officers to the great indignation of themselves, their families and friends. Captain Du Pont was the member of the Board who was made the target for the arrows of wrath, shot from every quarter. Clayton took up his defense, and that of the bill also, and succeeded in all he aimed at, to the great admiration of the people of his own State particularly, who were very proud of Du Pont as well as of him. This virtually closed Clayton's public life. His end soon after came. His life had been desolated early by the death of his wife, from which he never entirely recovered; and towards the period of the close of it, he lost both his sons. He came to Dover in September, 1856, to spend the remainder of his days, and there died on the 9th of November following.

Certainly, no man in Delaware ever had such a career as John M. Clayton, and, unquestionably, he achieved it for himself. Nature and education combined had produced a very extraordinary person—one of unbounded influence as an orator over an audience, and of surpassing attractiveness socially. And then, he had a tender, sympathetic heart, full of natural affection, and ready always to respond to appeals made to its charity. His death was a great public loss.

For the superior distinction such a man was worthy of—the whole country considered—it is unfortunate Clayton did not belong to a great State like New York or Pennsylvania.

Richard H. Bayard, who succeeded John M. Clayton, was born in Wilmington, Delaware, near the close of the eighteenth century, and was the eldest son of James A. Bayard. He was graduated from Princeton College in 1814. He was admitted to the New Castle bar in December, 1818, and very soon attained prominence in his profession. He was a United States Senator from 1836 to 1839, and upon his retirement was commissioned as chief justice September 19, 1839, and served until March 12, 1841, resigning his office to enter the Congress again as Senator, to which position he had been elected as a Whig in 1840, when the Democrats of Delaware suffered sweeping defeat, and the Legislature was in consequence strongly Whig. He served until 1845, and in 1850 was appointed as charge-d'affaires to Belgium.

James Booth, Jr., fourth in the order of chief

justices under the Constitution, served from 1841 to 1855; was the son of that James Booth who filled the office for the remarkable term of nearly twenty-nine years (1798-1828). He was born November 27, 1789, and died while still on the bench, March 20, 1855. At that time his character was thus summed up: "A great judge, a just man; noble, high-minded, at the same time affable, sometimes facetious; generous, kind-hearted; apt to teach—to instruct—the friend of all, but especially of the friendless; an arbiter of justice, yet delighting in mercy, and by all suitable means seeking to harmonize the conflicting elements and turbulent passions embraced in the causes on which he was so often called to sit in judgment."

Samuel M. Harrington succeeded James Booth, Jr., as chief justice, and received his appointment April 3, 1855, and occupied that station until May 4, 1857, when he was appointed chancellor, an account of which will be found in the list of Chancellors in the succeeding pages of this chapter.

Hon. Edward Woodward Gilpin, the fifth chief justice of Delaware under the Constitution of 1831, was born in Wilmington July 13, 1803, and died at Dover April 29, 1876. He was the son of William and Ann (Dunwoody) Gilpin. Until he reached the age of seventeen he resided with his grandparents at their homestead on the Brandywine, attending during that time the schools of the vicinity and a short time in Wilmington. He for a short period entered as a clerk with a merchant in his native town, but remained here, however, but a short time, joining his father, who then resided in Philadelphia. The latter placed him to learn the trade of a tanner and currier with a Mr. Fennimore. After a year in Philadelphia his father and himself returned to Wilmington, and young Gilpin continued his trade under Reuben Webb. He remained with him but a short time, finally abandoning his trade to enter the store of his brother Josiah. These various employments were not suited to one of his mind, but did much to endow him with what was in after-life many of his chief characteristics. It gave him a thorough knowledge of business affairs and in all things practical. While his early education was not advanced or collegiate, it was of such a nature, together with his early occupations, as to endow him with a large fund of discriminating common sense. While in the store of his brother he entered, fitted as he was, as a student-at-law with the Hon. John Wales. His early life had been one of application, and in no walk of life is this faculty of more avail than in the law. He was a close and intelligent student, never allowing any of the intricacies of the text-books to dull his ardor or hamper his pursuit of legal knowledge. Being without the many advantages that many students have, he knew that upon his own efforts alone depended his success in his chosen profession, and, in consequence, he left no effort unturned to become fully conversant with everything connected with that profession; and possessing a mind capable of intelli-

gently receiving that knowledge, he was at the time of his admission, October 3, 1827, eminently fitted to enter upon the practice of his profession. Of a nature more than ordinarily sensitive, careful of his personal integrity and always quick to resent any reflection upon the honesty of his motives, he rapidly gathered around him a large and lucrative clientage, by being industrious and attentive to the smallest detail of every matter intrusted to his care. His cases while at the bar were well prepared, every point being carefully and conscientiously brought out, and his advice when once given could be depended upon as sound. He belonged to the old Whig party, so many of whose former leaders are now prominent in Delaware politics. He never, however, was an ardent partisan, being conservative in his views, but when he once took a position his views were positive.

Upon the expiration of the term of Attorney-General James Rogers, Judge Gilpin was appointed to fill the vacancy, February 12, 1840, by Governor Comegys. This position he held for ten years, being reappointed in 1845 by Governor Stockton. Here his natural ability showed itself. He prosecuted the cases that came before him fearlessly. A theory of his that has become one of the historic expressions of the Delaware Courts was, "that one mode of preventing the increase of crime, is by the punishment of the criminal." Having been appointed at the early age of thirty-seven, after but thirteen years at the bar, he left the office, in 1850 at the age of forty-seven, with a reputation on a par with any of his cotemporaries, so faithfully and so well had he done his duty to the State. He was engaged for the next seven years in the practice of his profession, and upon the appointment of Chief Justice Harrington as chancellor, Mr. Gilpin became at once the choice of his fellow-members of the bar and the general public for the vacant position of chief justice. Governor Causey, recognizing this public sentiment, and being personally conversant with his many qualifications for the high position, appointed him on the 6th day of May, 1857. For nearly twenty years he presided over the Civil and Criminal Courts, and as a member of the Court of Errors and Appeals. While Chief Justice Gilpin may have been excelled in some particular point by his predecessors upon the bench, he, when all his various qualifications are taken into consideration, was without a superior. He was remarkable for the fact that his mind was of that nature that is denominated solid in every particular. He was careful to be impartial, whether in his charges to the jury, rulings at *Nisi Prius*, which were always quickly given, or his opinions in *banc*. The first four volumes of Houston's Superior Court Reports contain opinions from him on every point, and one of the best evidences of their value is the high estimation in which they are held by the bars of every State. They are upon almost every known branch of the law. They are all practical, pains-

taking and thorough, and with elaboration upon technicalities and seldom if ever theorizing. The immediate cause of his death was *angina pectoris*. He died suddenly, while holding court at Dover. He was for many years president of the Union National Bank and a director in the Philadelphia, Wilmington and Baltimore, and Delaware Railroads. His death was universally regretted; for over fifty years he had been before the public, giving most of his service to the public, while he could, had he so desired, obtained pecuniary profit had he attended to his profession. In religion he was a believer in the doctrines of Swedenborg and connected with the New Jerusalem Church. March 15, 1842, he was married to Miss Elenora Adelaide La Motte, who died eighteen months before him, leaving one child to survive them.

Hon. Joseph P. Comegys, the present chief justice of the State of Delaware, was born about four miles east of Dover, at the old family seat of the Marims, called Cherbourg, on the 29th day of December, 1813. He was the third son of Cornelius P. Comegys, Governor of the State of Delaware from 1837 to 1841, and Ruhamah, his wife (*née* Marim), who was the daughter of John Marim and Hannah Stevens, his wife.

The governor was a man of the strictest integrity and superior business qualifications; but of such profuse and unbounded hospitality and charity as to keep him always in straitened circumstances and to prevent him from bestowing upon his many sons a collegiate education. There was, however, in those olden days an excellent classical academy in Dover, conducted under the auspices of such men as Thomas Clayton, Henry M. Ridgely and Governor Comegys, where a lad of good sound mind and desirous of learning might acquire a mathematical and classical education almost, if not quite, equal to that which could be had at most colleges in those times. It was at this old academy, situated at the south end of State Street, in Dover, that Chief Justice Joseph P. Comegys received his education. The last three years of his academical course this school was conducted by the Rev. Ashbel Strong, one of the best classical scholars and elocutionists of that day. Young Comegys, by his exemplary deportment and his aptitude and strong desire for the acquisition of knowledge, very soon became a favorite with this good old master; so that when he went from the academy to begin his law studies in the office of Hon. John M. Clayton, who was then filling his first term in the United States Senate, the latter was quite surprised to find his young student, then only seventeen years of age, so well-versed in the classics, history, mythology and mathematics, and predicted for him that successful career in his profession which was fully realized in his early and middle life, and crowned in his later years with the highest honor which his native State could confer.

It is a remarkable fact, that of the eight children

left by Governor Comegys, to survive him, all except one have lived to be over sixty years of age, and six of them are still living, of whom the chief justice is now the eldest. They were all hale, robust and fine-looking men and women, and all endowed with minds far above mediocrity. Though now in his seventy-fifth year, Judge Comegys, still hale and vigorous, still preserves the "*sana mens in sana corpore*," and on the bench not only acts, but looks the chief justice. Having completed his law studies with Mr. Clayton, he passed a most excellent examination, and was admitted to the bar at the April term of the Superior Court, 1835, and in a few years took rank with the foremost members of his profession in the State. For many years he enjoyed probably the most lucrative practice of any lawyer in Kent County, and was frequently employed in important cases in New Castle and Sussex. In 1855, on the death of Chief Justice James Booth and the promotion of Associate Judge Harrington to fill the vacancy, his old Whig friend, Governor Causey, without solicitation upon the part of Mr. Comegys or any of his friends, sent him the commission of associate to fill the vacancy occasioned by Judge Harrington's promotion, which he had the good sense to decline, and continued to practice at the bar until May, 1876, when, upon the sudden death of Chief Justice Edward W. Gilpin, a Democratic Governor, John P. Cochran, tendered him the commission of chief justice, although he was not a member of that party, and had never voted the Democratic ticket or attended a political meeting for many years before. This position he has ever since filled with signal ability and marked impartiality. In 1882 the University of Pennsylvania, recognizing his high excellence of character and legal ability, conferred on him the degree of Doctor of Laws, an honor well merited by the Judge, and creditable to that institution of learning.

But for the liberal and charitable disposition, which he honestly came by, as an inheritance from both his father and mother, the extensive practice which he enjoyed for so many years would have enabled Judge Comegys to have amassed quite a handsome fortune. He has been satisfied, however, to indulge that spirit of liberality, and content himself with a simple competence.

In his earlier life, and so long as the old Whig party maintained its organization, Judge Comegys was an ardent partisan and was several times elected clerk and member of the House of Representatives, in the General Assembly, in which, when a member, he was a leader, and in 1856 was appointed by Governor Causey to fill the vacancy in the United States Senate occasioned by the death of Hon. Jno. M. Clayton. He never, however, permitted his political ambition to interfere with his social relations, or to divert him from his steady purpose of pursuing his profession with diligence and fidelity to his clients.

In his manner and bearing he mingles great dignity with a pleasing suavity and cordiality; so that in

his company one feels that he is in the presence of a gentleman of the old school.

To his public spirit and tenacity of purpose the town of Dover is, in a great measure, indebted for its public buildings and other improvements and ornamentalions, which have given it the reputation of being the most beautiful town in the State, and, in fact, one of the most beautiful in the whole country.

When he had been about two years at the bar he married Miss Margaret A. Douglas, a lady of the highest mental endowment and most finished manners and education, the daughter of the late Walter Douglas, of Mordington Mills, sister of James C. Douglas, late paymaster in the United States Navy, and the niece of Hon. Jno. M. Clayton, his old law preceptor. He went at once to reside in an old family mansion, on the south side of the Public Square in Dover, where he has continued to live ever since, and where, in the month of March last, he and his bride of fifty years celebrated their golden wedding.

They had but three children,—Walter Douglas, Harriet Clayton and Cornelia, of whom Harriet only is still living.

THE ASSOCIATE JUSTICES.—The associate justices in the province, and also under the Constitutions of 1776 and 1792, were not men "learned in the law." A few facts are here given concerning some about whom anything can be obtained while sketches of others of their number appear elsewhere in the history. The first of the Higher Courts under Penn were the Provincial Courts, and of their officers none were residents of the lower counties until 1684. In that year William Clarke, of Lewes, Sussex County, was chosen "Justice in General" to succeed William Welsh, and served as president judge. Arthur Cooke was appointed associate justice in 1685, but declined. He was again appointed November 21, 1690, with John Simcock, Edward Blake and Griffith Jones. Cooke and Simcock were prominent Friends. The former resided in Philadelphia until his death, October 2, 1699. The latter was a Public Friend and resided in Chester County. He was one of Penn's trusted advisers and counselors, and died January 27, 1702. Griffith Jones was one of the early settlers under Andross on St. Jones River, and later was one of Penn's Council. Edward Blake was a resident of New Castle and continued a member of the Provincial Court after 1694. Richard Halliwell, appointed soon after 1690, was a member of the court in 1694, and was one of those who, in that year, settled the dispute between the justices in relation to the county-seat of Kent County. He was a resident of New Castle and donated the glebe to the Immanuel Church in that place.

William Rodney, who was appointed justice in December 3, 1707, was the ancestor of the family in this country. He first settled in Sussex County, where he was sheriff in 1685, but soon after settled in Kent County, where he resided when he was justice. In

1704 he was Speaker of the Assembly of the three lower counties.

Jonathan Bailey, appointed justice in 1710, was a resident of Lewes and a miller. He had served as sheriff of Sussex County, and held other trusts.

Thomas Bedwell resided west of Dover, where, with his brothers, he was in possession of large tracts of land.

Barclay Codd, who was twice a justice, was a resident of Cedar Creek Hundred and a descendant of Richard Perrott, who, in 1672, emigrated from Maryland.

Joseph England was a Friend who resided in the western part of Appoquinimink Hundred (now Blackbird), on the old King's Road.

Joseph Wood was one of the early sheriffs of New Castle County.

John Brinkloe was a resident of St. Jones Hundred (now East Dover).

Timothy Hanson was a resident of Little Creek Hundred, near Dover.

Robert Gordon was from New Castle, and was prominent in many official positions.

Benjamin Shurmer came from Bristol, England, and settled in Kent County. He was recorder many years, and commissioner to lay out Dover in 1717.

Jehu Curtis, who was appointed justice April 5, 1743, was a son of Jehu Curtis, of New Castle, who was prominent in the affairs of his time. Jehu Curtis (2d) served as speaker of the Assembly of the three lower counties, as treasurer and trustee of the Loan Office, and served as justice until his death, November 18, 1753, aged sixty-one years. He is buried in Immanuel Church-yard at New Castle. A characterization of him is best given in the language of Benjamin Franklin, who was an intimate friend:

"If to be prudent in council,
Upright in judgment,
Faithful in trust,
Give value to the public man;
If to be sincere in friendship,
Affectionate to relations
And kind to all around him,
Make the private man amiable,
Thy death, O Curtis,
As a general loss,
Long shall be lamented."

William Till, formerly chief justice, was appointed justice in 1754 to succeed Jehu Curtis, continued to 1764, and died in 1766.

John Vining was appointed justice in 1757, and continued until his appointment as chief justice in 1764.

He was succeeded by Jacob Von Bebbber, who was a descendant of Michael Von Bebbber, of Bohemia Manor, and at that time resided not far from what is now Kirkwood.

Richard McWilliams, who was appointed third justice November 27, 1764, and second justice May 4, 1769, was a native of Ireland, and settled in New Castle about 1735 or 1740. In 1743 he was chosen clerk of the peace and recorder, and for many years was treasurer of the lower counties. In 1748 he

married Mary, the daughter of the Hon. Jehu Curtis, who died two years later, and as a second wife he married Margaret, the daughter of William Shaw, Esq., who was attorney-general and treasurer of the lower counties in the early years. Chief Justice Richard McWilliams was his son.

John Clowes, a justice in 1765, was a resident of the western part of Broad Kiln Hundred, Sussex County.

Cæsar Rodney, of whom much is said, had occupied several positions of trust in Kent County before coming to the bench in 1769, and from this time became foremost in councils, not only of the province, but of the colonies.

David Hall, a justice in 1769, was a farmer, and resided near Lewes. He was the father of Colonel David Hall, of the Revolution, and of Dr. Joseph Hall, both of Lewes. His daughter, Mary, became the wife of James P. Wilson, an attorney of Lewes, and later an eminent Presbyterian divine of Philadelphia.

Samuel Chew, who was attorney-general from 1760, was appointed third justice October 30, 1773, and served until the Constitution of 1776 went into operation. He was a son of Dr. Samuel Chew, who was chief justice in 1741, and brother of Benjamin Chew, of Philadelphia, eminent as an attorney.

In the year 1773 the court was composed of Richard McWilliams, chief justice; Cæsar Rodney, second justice; Samuel Chew, third justice; and David Hall, fourth justice, which, as so formed, continued until re-organization under the Constitution of 1776. This occurred in July, 1777, with William Killen as chief justice; John Evans, of New Castle, second justice; and John Cook, of Smyrna, Kent County, third justice. Evans and Cook were succeeded respectively by David Finney, of New Castle, and John Jones, January 27, 1778. As thus organized, the court continued until after the Constitution of 1792 was adopted, when, on the 6th of September, 1793, it was reorganized, with Richard Bassett as chief justice, and Thomas Macdonough, Daniel Rodney and John Clayton, associates.

Thomas Macdonough was a physician, and the son of James Macdonough, who resided at "The Trap" (now Macdonough), in St. George's Hundred. He was a major in Col. John Hazlet's regiment, and served during the Revolution, after which he returned to practice in his native place; appointed justice in 1793, and served until his death, in 1795.

Daniel Rodney was a native of Lewes, where he was born September 10, 1764. He was chosen justice in 1793, and served until 1796, and in 1813 was elected Governor of the State, succeeding Gov. Joseph Hazlett; an elector in 1817; member of Congress in 1822, and United States Senator in 1827. After this active, busy life he retired to Lewes, and died in 1846.

John Clayton, one of the first justices under the Constitution of 1792, was a descendant of the Joshua Clayton who emigrated from England with William Penn.

He was a brother of James Clayton (father of John M. Clayton), of Dr. Joshua Clayton, Governor of the State, and father of Chief Justice Thomas Clayton. John Clayton was sheriff of Kent County twice—the last time preceding his appointment as justice, during which, as sheriff, he compelled the Legislature of the State, then in session (May, 1792) to abandon the Court-House, and they adjourned to Duck Creek Cross-Roads (now Smyrna).

Kensley Johns, who succeeded Daniel Rodney in 1796, held the position until 1799, when he was chosen chief justice.

Andrew Barratt was the eldest son of Philip Barratt, of Murder kill Hundred, near Barratt's Chapel. He was chosen a member of the Convention of 1792, and was appointed associate judge January 23, 1799. He was a member of the State Senate, and Speaker of the sessions of 1812, '13, '14. He died in 1821. His son, John Barratt, was an attorney in Dover, and Secretary of State, and died a young man in 1818.

Peter Robinson, a brother of Thomas Robinson, the Loyalist, resided in Indian River Hundred, at St. George's Chapel. He was chosen judge October 30, 1793, and served many years.

Richard Cooper, of Kent County, was born in 1755, at Tuckahoe Neck, Caroline County, Md., and early in life settled at Willow Grove, where he kept a store, later moved to Passey (Coopers Corners), where he died August 29, 1818. He was appointed associate justice May 11, 1804, and served until his death.

Isaac Davis was born near Milford, Kent County, in 1765. He was elected member of Assembly in 1793, of the Senate in 1794, and Speaker of that body, and register of wills in 1799. After he retired from this office he removed to Smyrna, where he passed the remainder of his days, and died March 30, 1856. He was appointed justice January 7, 1814, and served until the re-organization of the court under the revised Constitution of 1831.

William B. Cooper, a native of Sussex County, born near Laurel, was appointed associate justice, September 26, 1817, and served several years. He was elected Governor of the State October 18, 1840.

Samuel Paynter was born in 1768, at Drawbridge, Broad Kiln Hundred, Sussex County. He descended from Richard Paynter, who settled at Lewes before 1700. Samuel Paynter was appointed justice in February, 1818; elected Governor of the State in 1823, and in 1844 was a member of the House of Representatives, and died at the homestead in 1848.

Kendall Batson was a native of Sussex County, and was clerk of the peace and sheriff of the county before he was chosen justice in 1820.

Jacob Stout was born at Leipsic, Kent County, where his ancestors had settled before 1700. He was a member of and Speaker of the State Senate in 1820, and upon the death of Governor-elect Henry Molleston, who died before taking the oath of office, Jacob Stout, by virtue of his office, became Governor

of the State, and served the term, and upon his retirement was appointed associate justice January 21, 1822, and served many years.

Dr. Edward Dingle, of Dagsborough, the last justice appointed under the old Constitution, was a grandson of the Rev. Edward Dingle, who was rector of St. Martin's parish as early as 1740. He was appointed associate justice October 6, 1827, and served until the reorganization of the courts under the new Constitution. He was a prominent and influential member of the Constitutional Convention, and was instrumental in introducing the system of biennial elections.

Under the Constitution of 1831, with the exception of David Hazzard, the associate justices have all been learned in the law.

The family represented by Hon. Caleb S. Layton, the subject of this notice, has long been recognized as one of the oldest and most influential in the State of Delaware. About the year 1700 or the beginning of the eighteenth century, Tilghman Layton, who was not himself the original emigrant, however, came with other early families from Virginia, and made a settlement in what is now North West Fork Hundred, in Sussex County. He had two sons—William Lowder and James. William died in 1745, and left three sons,—Hewitt, Lowder and Robert, of whom the second named was the grandfather of Judge Caleb S. Layton. He also had a son Lowder, born August 21, 1770, who married Sarah, daughter of Caleb Sipple, of Kent County, on April 27, 1797. He passed his active life in Milford, where he engaged in mercantile life—never, however, losing his interest in agricultural pursuits. He was a man of character and influence, and exerted a strong influence for good in his day and generation. He died June 26, 1849.

Caleb S. Layton, the oldest of a large family of six sons and three daughters, was born on the family homestead April 12, 1798. Soon after that date his father moved to Milford, where the son enjoyed such educational advantages as the then excellent local schools afforded, and subsequently received more advanced instruction at the Philadelphia Grammar School. After completing his academic course he returned to his native county and engaged in business with his father. On October 14, 1819, he married Penelope, daughter of Gov. Caleb and Elizabeth (West) Rodney, and the year following was appointed clerk of the peace for Sussex County. He resigned this office in 1822, and entered upon the study of law with Thomas Cooper, of Georgetown, one of the leading members of the Sussex bar. At the session of the State Legislature in 1824–25 he served as clerk of the Lower House, and was duly admitted to practice as an attorney at-law in 1826. He entered earnestly upon the performance of the active duties of his profession, and by close application and systematic and intelligent work soon established a wide reputation for himself as a wise and learned counsel-

or and a zealous and popular advocate before the jury. In 1826 he was elected a member of the lower branch of the State Legislature, and was re-elected for several successive terms. In 1830 he was elected a member of the State Senate.

During the administration of Governor David Hazzard he served as secretary of State, and was again appointed to the same office by Governor Charles Polk, in 1836. While occupying this position he was duly appointed an associate justice of the Superior Court of Delaware, and successfully and ably occupied that exalted place until July, 1844, when, owing to the insufficiency of the pecuniary returns from the office, he was compelled to resign, greatly to the regret and disappointment of the citizens of the State. He returned to the practice of his profession in Georgetown, and added still further to the repute which he had previously enjoyed in the State as one of the leaders of the Delaware bar.

Aside from his professional prominence, Judge Layton exerted a wide influence in the domain of politics, and labored zealously and successfully in advocating the principles and sustaining the purposes of the political organization to which he belonged. Originally identified with the Federalist and Old-Line Whig parties, he passed, by a natural transition, into the Republican party at the time that the burning questions which preceded the late war between the States gave it birth; and during the darker days that followed proved an able and efficient advocate of those principles that preserved the Union and with it the life of the nation. He was a forcible speaker, a close and accurate reasoner and a recognized leader in political life from 1825 or '26 until within a few years of his demise. He was the real author of the free-school system of the State, having caused the bill to be introduced which established it, and always felt a warm interest in all movements tending to foster and maintain her educational, moral and religious institutions.

He was strongly opposed to slavery, and, as a member of the Legislature, caused the first abolition bill to be introduced in the State of Delaware.

For nearly half a century he was a consistent member of the Protestant Episcopal Church and a liberal contributor to all evangelical and missionary objects.

In his social and domestic relations he was of an exceedingly amiable character. His pleasing address, polished manners and intelligent conversation made his presence welcome in every company; while in his family he was the centre of an affectionate circle, to which he set the constant example of gentleness, peace and mutual confidence. Physically, he was erect and graceful, even at a very advanced age, and preserved in a remarkable degree the manly strength and development of earlier years. Finally, in the ripeness of advanced age, he passed away, after a brief illness, on October 3, 1882, leaving behind him the fragrant memory of a well-spent life.





For "The Boston Herald" - 1867

Wm. L. Dayton



J. H. Milligan



S. S. Milligan

Judge Layton's first wife died in July, 1855. She was a lady of rare excellence of character and possessed of many virtues, a devoted wife and mother, and an exemplary follower of Christ. She had nine children, as follows: Dr. Joseph R. Layton; William L., died; Samuel H., residing at Frankford; Caleb R., late colonel in the army of the United States, who died August 20, 1887; Sarah E., died; Hester A., died; Daniel J., a prominent citizen, resident of Georgetown; Penelope, wife of Rev. John Linn McKim; and Lavinia J., who married Rev. George F. Plummer.

For his second wife Judge Layton married Anna M., daughter of the late Dr. William Morris, of Dover, who proved a worthy help-meet and comfort in his declining years, and who died in the fall of 1886.

The Constitution of 1831 did not provide that the associate justices should be attorneys learned in the law, but, with one exception, it has been the rule, and in the appointments made January 18, 1832, James R. Black, then an attorney at New Castle, was the first one mentioned. He was at that time in the prime of life, and had been for many years a successful practitioner at the bar of the State. He was a native of Newark, Delaware, where he was born in 1785. After attending academy in his native town, he entered Dickinson College, at Carlisle, from which he graduated. He then went to New Castle, and entered the office of the Hon. George Read (second), with whom he studied law, and was admitted to practice at the bar of New Castle County at the November term, 1806.

He at once opened an office, and by his abilities, strength of character and steadfastness of purpose, soon became one of the leading lawyers of the time, and upon the reorganization of the court in 1832, was appointed with Samuel M. Harrington and Peter Robinson, associate justices, which position he held until his death, September 3, 1839.

At a meeting of the bar of New Castle County, held on September 5, 1839, the following resolution was adopted:

"Resolved, That in the death of James R. Black, one of the associate judges of this State, we recognize a public misfortune which we individually, and as members of the legal profession, must peculiarly feel and deplore; regarding this sad event not only as the loss of a friend, whose character in private life justly endeared him to the whole community, but of a judge whose sound legal learning, uncompromising integrity and faithful discharge of duty gave inestimable value to his official labors, and adorned and dignified his station."

Of Samuel M. Harrington, who was upon the bench from 1832 to 1836, as a member of the first court under the new Constitution, a sketch appears among those of the chancellors.

Peter Robinson, the third of the trio of associate judges forming the first court under the present Constitution, held the position from his appointment, January 18, 1832, to the time of his death, in 1836. He was born October 14, 1775, in Sussex County, and was a son of Thomas Robinson, the Loyalist. He read law with Chancellor Ridgely, was admitted to practice April 23, 1799, and soon became the leader

of the bar in his native county, and one of the foremost lawyers of the State. He became prominent also in politics, and prior to his appointment to the bench was three times Secretary of State, his terms beginning respectively in 1805, 1814 and 1822. His ability and integrity won for him the respect even of those opposed to him in politics. He married his cousin Arcada, daughter of his uncle, Peter Robinson, and left three children—Thomas Robinson, Jr., Alfred P. Robinson and Mary, wife of the late Judge Edward Wootten.

David Hazzard of Sussex County, who was appointed to the bench in December, 1844, and held the position until his resignation in 1847, when he was succeeded by the late Judge Wootten, was the only one of the associate judges under the Constitution of 1831 who was not a lawyer, but he was well equipped for the office, being a man of marked ability, unquestioned uprightness and judicial mind. Judge Hazzard was of prominent family, and distinguished by reason of his own abilities, having been Governor of the State long before he went upon the bench, and also State Senator in 1844. In 1852 he was a member of the convention to alter the Constitution of the State, and took a leading part in the deliberations of that body.

David Hazzard was born May 18, 1781, and died July 8, 1864. He was a son of John and Mary (Houston) Hazzard, of Broadkirk Neck, Sussex County, and was a descendant of Coard Hazzard, who settled in that vicinity about 1700, and who, according to family tradition, had emigrated from England some years prior to that time, and located in Virginia.

John J. Milligan was born December 10, 1795, at his father's residence, Bohemia Manor, Cecil County, Maryland. He was of Scotch descent, his grandfather, George Milligan, having come from Ayreshire, Scotland, and settled in Maryland toward the middle of the last century. The judge's father, Robert, was sent to Scotland and educated at the University of St. Andrew's and read law at the Middle Temple, London. On his return to this country he was admitted to the bar at Annapolis, Md., but resided chiefly on his estate, Bohemia. His wife was a daughter of John Jones, Esq., of Delaware, whose family estate was situated near Cantwell's Bridge (now Odessa), and whose mother was Lydia Cantwell, direct descendant of the Quaker martyr, Mary Dyer.

In Judge Milligan's early childhood his father purchased the house then standing on the southwest corner of Seventh and Market Streets in Wilmington, in which the judge's family so long resided. It was intended as a temporary home for a season when the Bohemia residence was subject to malarial fevers, but the father having died soon after, it was thought best for his family to live in Wilmington, where there were better facilities for their education than at their country home. As a child Judge Milligan attended the old academy, Wilmington, and later

went to St. Mary's College, Baltimore, where he remained until he entered Princeton College, where he was graduated in 1814.

After his graduation at Princeton he studied law in the office of his brother-in-law, the Hon. Louis McLane, and was admitted to the bar in New Castle County December, 1818. After his admission to the bar his health became so delicate that he was unable to engage closely in the practice of his profession. He was elected to Congress in 1832, and served three consecutive terms, and his nomination for the fourth time indicated that during that time he had not lost or impaired the attachment or trust of his party. Within a year after the expiration of his Congressional career he was appointed by Governor Comegys as associate judge of the Superior Court for New Castle County to succeed Judge Black, who was then just deceased. His commission bears date the 19th day of September, 1839. This office he continued to hold until his resignation, on the 16th of September, 1864, a period within three days of twenty-five years.

As a general rule a judicial life is uneventful, and Judge Milligan's life afforded no exception. That he wisely, prudently and usefully conducted himself in his honorable and responsible station was the judgment of those members of the bar who practiced before him. On the bench he was always patiently and thoughtfully attentive to the business before his court, and in the exercise of his judgment he was deliberate, dispassionate and never consciously influenced by the bias of partiality or prejudice. While he was not insensible to popular favor or approval—few men are, though they profess the contrary—he would not indorse or advocate what his sense of justice condemned to win popular applause. An illustration of his judicial and manly independence occurred some years ago. The Legislature had recently passed an act rigidly limiting the freedom of the colored people and restricting their privileges of traveling to and from the State to a very narrow compass and made it the duty of the courts to specially give the law in charge to the grand jury at the spring term of the court in each county. This Judge Milligan did, but at the same time took occasion to denounce the statute as unnecessarily harsh and unjust, and recommended its speedy and unconditional repeal.

On the formation of Mr. Fillmore's Cabinet, Judge Milligan was offered the position of Secretary of the Interior, but declined it, not feeling his health equal to the discharge of its onerous duties. On the occasion of his resignation of the office of associate judge, the regret of the people of the State was very generally and warmly expressed. It was voiced by the Governor of the State, who, through the Secretary of State, addressed to Judge Milligan a letter accepting his resignation and expressing his profound regret that the State was to lose the public services of one who had "performed the duties of his office with fidelity, dignity and ability."

In personal intercourse, in the daily life of citizen,

neighbor and friend, Judge Milligan's work and conversation were beyond reproach. His presence was commanding and engaging, and his address perfect. His manners were natural and unstudied, being the outcome of an amiable disposition and a kind heart. No one ever left his society without carrying away an agreeable and pleasant impression of the man. But with all his noble gentleness of mind and graceful bearing, he was possessed of a manly spirit of courage and a high tone of thought. Though sensitive to anything which might be supposed to touch his character, he was not quick to give or take offense, as he knew when and how to assert himself without being over-sensitive or expecting wrong where none had been intended.

To the younger members of the bar his kindness was ever manifested; and at the time of his death many of them recalled to their professional brethren instances in which it had been strikingly exhibited.

After Judge Milligan's retirement from the bench, he removed to Philadelphia, where he died April 20, 1875.

Hon. Edward Wootten, for forty years associate justice of the courts of Delaware, was born in Laurel October 2, 1810. He was the son of Peter G. Wootten, who was one of that early class of business men on the Lower Peninsula who combined all the attributes of the old style gentleman and successful man of business. He was interested in politics, and as men in the mercantile life in those days were always men of importance, he occupied a leading position in his party councils. He was several times a member of the Legislature. His father, Peter G. Wootten, Sr., emigrated to this country from England, settling his four sons upon a large body of two thousand acres, located near the town of Laurel. The subject of this sketch received his early education at the old Laurel Academy, which was a famous institution of learning in that day. After completing his studies here he entered upon a course of legal study with Thomas Cooper, of Georgetown, with whom he continued until his death, when he completed his course with James Rogers, Esq., of New Castle, being admitted to practice in 1830, opening an office in Georgetown. He immediately took a position of prominence at the bar, and in 1845 he received the unanimous vote of the Democratic Convention for Congress. This nomination, coming in such a complimentary manner, he declined, preferring his profession to a public life. Though a Democrat, his fitness for the position of a judge was so apparent he was urged by leading lawyers of both political parties upon the Whig Governor Cooper for the position of associate justice in 1846. Political lines in Delaware then, as now, were so tightly drawn that the Governor would not go outside of them; but the next year, the new Governor, Tharp, appreciating the sentiment expressed the preceding year, appointed him to a vacancy on the bench. His appointment gave general satisfaction to





John W. Norton

his brethren at the bar and to the public, who had long honored him for his vast fund of legal knowledge. His decisions were sound, and his knowledge of the law was equal to any of his cotemporaries of his forty years' service. He had a wonderful memory. He had but to read or hear a fact and it was stamped indelibly upon his mind. In addition to his service upon the bench, he was, for thirty years, a trustee of the Georgetown Academy, for sixteen years a director of the Farmers' Bank of Delaware at Georgetown and also a vestryman and senior warden of the Protestant Episcopal Church. He died of pneumonia, at his residence in Georgetown, March 1, 1887, after a short illness of one week. The cold was contracted from an open window, while riding on the cars from Wilmington to Georgetown, upon returning from sitting in court at the former place.

At a meeting of the bar, held at Dover after his death, Chief Justice Comegys said, among other things: "He had had the honor of sitting with him for eleven years, and in all that time he never beheld in him the slightest disposition to avoid any performance of duty, nor weakness of purpose to do exact justice." He spoke of his excellent and remarkable accurate knowledge of the law and his uncommon recollections of decisions made by the courts and of all matters and details pertaining to the administration of justice. His funeral was largely attended by State officials and members of the bar; a special train was run from Wilmington and Dover. He was buried beside his wife, in the cemetery of St. George's Chapel, Indian River Hundred. He was married, in June, 1833, to Mary, the daughter of Judge Peter Robinson. Alfred P. R. Wootten was the only son of this marriage. Mrs. Wootten died June 3, 1877.

Hon. John Wallace Houston, one of the judges of the courts of the State of Delaware, was born at Concord, Sussex County, May 4, 1814. His grandfather, Robert Houston, was a man of great strength of character, was highly respected, and lived a noble and exemplary life. He was chosen one of the commissioners to establish the county-seat of Sussex County, but died in 1791 of yellow fever, contracted in Baltimore before the task was completed. The Houston family is of Scotch descent, and the original American ancestors emigrated to New York, which city has a street named in honor of one of them. The family branched off, some settling in Pennsylvania, and others in Delaware and North Carolina, and their descendants in Tennessee and Texas. Of that branch was General Samuel Houston, the hero of the battle of San Jacinto, the crowning victory in the war for Texan independence from Mexico.

John Houston, the father of Judge Houston, was a merchant at Concord. He was also the owner of vessels engaged in the coasting trade and in the trade of the city of Baltimore. He was married to Elizabeth, daughter of Cornelius Wiltbank, who lived by the Broadkill River, on lands which he in-

herited in direct succession from Helmanus Wiltbank, one of the first Dutch settlers on the Delaware. Helmanus Wiltbank was sheriff of the Dutch Court at Hornkill (now Lewes), and subsequently was one of the justices of the court under the government of the Duke of York. He obtained patents for several large tracts of land on the Broadkill, near Lewes, before the duke's deed of feoffment to William Penn for the three lower counties was given, and before Penn had obtained letters patent from the King for the province of Pennsylvania. He died in 1695.

The preparatory education of Judge Houston was acquired in the schools of his native village, and at an early age he went to the Newark Academy, where he was prepared for college. In 1830 he entered Yale, where he remained four years, completing the course in 1834. He is now the oldest representative of that honored institution in Delaware. The class with which he graduated had less than eighty members, forty of whom were living and engaged in the active duties of life in 1874, or forty years after graduation. Being thoroughly equipped for the study of one of the learned professions, he decided upon the law, and, immediately after leaving college, entered the office of Hon. John M. Clayton, then one of the most eminent statesmen of this country, and in the height of his power and influence in the State of Delaware, being a member of the United States Senate. After three years of diligent and well-directed study he was admitted to the bar and settled in Dover for practice. He remained there two years, and then moved to Georgetown, where he soon acquired a lucrative practice. His leisure time was spent in reading and more thoroughly preparing himself for his profession, thus laying a broad and deep foundation for the superstructure of after years. By this means he soon won prominence at the bar. His solid attainments and real worth brought him conspicuously before the people of his native State.

In 1841, at the early age of twenty-seven, Governor Cooper appointed him Secretary of State, and he filled the constitutional term of four years with great acceptability.

Being an ardent Whig in the days of the ascendancy of that party, and a forcible and fluent speaker, Mr. Houston entered the field of politics with an energy and devotion of purpose that commanded the attention of the public in general, and the party of whose principles he was an earnest advocate. He made numerous speeches during the political campaigns that followed. In 1844 he was nominated by the Whig party, and elected the representative in Congress from Delaware. His course being approved, he was re-elected in 1846 and 1848, serving three successive terms before he had completed his thirty-sixth year.

His interest in political affairs was first particularly awakened while preparing for college, during what is termed "the nullification era," by reading the speeches of Mr. Webster and others on Foote's reso-

lution in regard to the public lands in the Senate of the United States, and entering college not long afterwards, where the heresy of nullification found too much favor, as he thought, among some of his Southern classmates, and was not unfrequently earnestly advocated by them, he soon became so strongly impressed with a presentiment that he would live to see the danger then menacing the integrity of the Union from that doctrine culminate in a civil war in the Southern States, that it never entirely left his mind until after the occurrence of the apprehended calamity in 1861, on the election of Mr. Lincoln to the office of President of the United States. And it was only strengthened and confirmed by observation and experience during his six years' service in Congress, and after he had retired from party and political life and became one of the judges of the State. And the following reminiscence connected with Hon. John M. Clayton, only a week or two before his death, will serve to show how strong and abiding it remained in his mind down to the year 1856. It was during his last ride on a pleasant day, in the vicinity of Dover with Mr. Clayton, who had been in very feeble health so long as to abandon all hopes of recovery, and, although very despondent and unusually depressed in spirit, he soon turned his thoughts and conversation on the condition and prospects of the country. He was then a member of the Senate of the United States, and said that until Colonel Benton had failed to be re-elected to that body after thirty years of continuous service in it at the last Senatorial election in Missouri, he had entertained a hope that they would together be able to avert in it any danger of a civil war that might seriously threaten the country. But with his loss of a seat in the body, and his own declining health, he had abandoned the hope forever, and was now convinced that civil war in this country was inevitable and must come. But it would not come in his day, for he had not many more days to live, but come it must, and when he contemplated the magnitude and horrors of such a fratricidal conflict in this country, and the great extent of it, which was too large for such a form of government, he thought it would be better to peacefully acquiesce in the threatened separation of it. Judge Houston, with equal gravity and solemnity, replied that it was in vain to think of or hope for the peaceful dissolution of the Union, or secession of any State or States from it; that he considered was utterly impracticable. That he sincerely hoped that his dear and venerated friend, Mr. Clayton, might be spared many more years for the benefit and welfare of the country, but for himself he felt compelled to say that he had been convinced by a firm presentiment ever since his first year at their common *alma mater*, Yale College, that he would live to see the effort made, even at the hazard and expense of civil war, to dissolve the Union, and though you may not live to see it, he would live not only to see it, but also to see it signally defeated by the strong arm of the government

and the invincible and uncompromising devotion of a vast majority of the people to the Union of the States.

In 1851, after the completion of his last term in Congress, Mr. Houston turned his entire attention to his chosen profession and was recognized as an able lawyer. His legal acquirements were thorough and exhaustive. Five more years of successful practice followed, and on May 4, 1855, he was elevated to the bench as associate judge of the State of Delaware resident in Kent County, a position which he has since continuously filled, a period of thirty-two years. His long judicial career has been marked and prominent. Many important cases have come before him for decision, on which his opinions are now quoted as authority in the practice of law in Delaware and throughout the country. Judge Houston is *ex-officio* reporter of the judicial decisions of the courts of Delaware, and six volumes known as "Houston's Reports" have appeared.

By industry and devotion to business, by fairness and impartiality in looking at both sides of every case, and by his courtesy of manner to the members of the bar and to all who come in contact with him, Judge Houston has given great satisfaction, and in his official position has enjoyed the highest respect of the people of the State. In the days of his political prominence in Delaware he exerted a controlling influence in public affairs, but he is a believer in a non-partisan judiciary, and as a judge on the bench his rulings and decisions are noted for their candor, impartiality and ability.

Judge Houston has a great fondness for the ancient and modern classics. He has diligently studied the works of the greatest English and American poets, and prose writers, and has thus acquired an excellent *belles-lettres* taste. In 1861 he was elected by the Legislature a delegate from Delaware to the memorable Peace Congress which met in Washington City.

Soon after his return home from the Peace Conference at Washington he was formally invited to attend the opening of the Mechanics' Institute in Wilmington, Delaware, then recently completed, and to address the public on the occasion, and as he had so lately left that body and the city of Washington with a sad and painful conviction that the country was then on the verge of a gigantic civil war, it naturally became the sole and absorbing subject of his remarks on the occasion. Such a war he considered was absolutely inevitable, for which every one who properly appreciated the transcendent value of the Constitution and Union of the States should be prepared to take his stand in support of them, without distinction of class, sect, vocation or political party. For in the result of it would be shown whether such a free, popular and republican form of government, founded not in force, but in compact, as ours, and hitherto sustained by the enlightened patriotism and devotion of its citizens to its best interests, and their pride in its glory and prosperity,

possesses the inherent strength, which it was more important that such a government should possess than any other form of government, to maintain and successfully enforce all of its rightful powers and authority in such an extraordinary emergency, and what that important demonstration shall be in this momentous exigency will depend on the manner in which it is supported and sustained by every true and patriotic friend of the Union through the struggle to preserve and perpetuate it on the part of the government, by giving their earnest and cordial support to it.

"If it should prove equal to this great emergency, as, with my faith in Divine Providence and trust in the patriotism of my fellow-countrymen, I believe it will, then it will have conclusively demonstrated to the world that it possesses in common with other and less liberal forms of government, an inherent strength and stability, even in such a stupendous crisis in its history, which too many in our own, as well as in other countries, have been slow to believe in. If he was not mistaken, the question thus presented of the dissolution or preservation of the Union by contending armies on the field of battle, will soon rise high above all other questions or matters of consideration, and while it will have the effect to unite the people of the seceding States in favor of their hopeless cause, it will at the same time have the effect to unite the people of all the other States in the cause of the Union and the government to which it is committed by the Constitution. The great inequality in the two divisions of the republic of the United States as here presented to us, in point of population, power, wealth and all the resources that can best fit contending States for an appeal to that ultimate resort of nations for the redress of either real or imaginary wrongs,—the arbitrament of arms,—would seem in itself to be sufficient to satisfy any reasonable person that whatever may be the vicissitudes or the fluctuations of fortune either way attending the prosecution of military operations pending such a war, that it can in the end have but one result, and as both ancient and modern history, down even to the time of the great Napoleon and the last of his twenty years of wars and victories, clearly shows that the fortune of war generally favors the side which brings and combines the strongest battalions on the field of battle, and always decides in favor of the belligerent party who is able to maintain the war the longest, and in the end to bring the greatest number of men into the field against the other. Whatever, therefore, may be the dread or solicitude with which any of us may contemplate the coming conflict, let no man despair of the republic, or of the ultimate victory of the Union and the Constitution in it. But with all this overwhelming inequality against the seceding section of the Union, he would not overlook or underrate the magnitude of the obligation and undertaking thus imposed upon the country and the government, or the skill and courage,

resolution, or even the fanaticism of bravery with which the gallant, but misled and mistaken, men of that section will wage the horrible conflict which they are so rashly rushing into and forcing upon the country. The insane ardor and overweening confidence in their ability to achieve their separation from the Union, and to establish an independent sovereignty of their own in the United States, as well as their true policy, will, of course, impel them and their constituted authorities, both civil and military, to strive to make the war of as short duration as possible, and, as may well be expected, their achievements and auguries of success will be best and most encouraging in the commencement of it, and this will only the sooner exhaust the resources of the war in that region and lead to the conclusion of it. But he did not think it would last less or much longer than four years; for his idea was that before that time had elapsed the South would discover the utter hopelessness of their efforts, and as a last resort would only seek to protract it until the next Presidential election, with the hope and expectation upon a change of administration their chances would be increased for obtaining a more favorable accommodation with the government on finally making their submission to the inevitable doom of the struggle. And if Mr. Lincoln and his administration should succeed in accomplishing no more than they all might reasonably hope for and expect of it under the circumstances, he would venture to predict, if Mr. Lincoln lived until that time, that he would be re-elected President of the United States, and that would, in effect, close the colossal conflict, and would, at the same time, constitute the crowning victory of the Constitution over the most formidable and insane assault that has ever been made against it.

"As to the expense of all this, he was content to compute the number of Union soldiers required for the exigency at not less than one million of men. As to its prodigious cost in life and treasure and debt to the country, he would not attempt to estimate it in dollars and cents; but would only say that in his judgment the salvation of the Union would be well worth it all, for, if saved, all except the irreparable loss of the gallant thousands who must die to save it, will, in due time, be repaired and paid; but if lost, what imagination can conceive or measure the decay, ruin and desolation that must ensue in this country?"

In 1878 Judge Houston, by request, prepared and read, before the State Historical Society, a learned and exhaustive paper, on the boundary lines between Delaware and each of its adjoining States.

The late Hon. Wm. G. Whiteley was upon the bench as associate judge from his appointment, March 31, 1884, to his death, in April, 1886. He was born near Newark, August 7, 1819, and was a son of Henry and Catharine Whiteley, both from Maryland. He was educated at Delaware College and Princeton, graduating from the latter in 1838. He commenced the

study of law, the same year, in the office of James A. Bayard (2d) and was admitted to practice in 1841. He followed his profession successfully and unremittingly in Wilmington until 1852, when he was appointed prothonotary, which necessitated his removal to New Castle. In 1856 he was nominated by the Democratic party as their candidate for Congress, and elected. Two years later he was re-elected and his second term expired March 4, 1861. He then resumed the practice of law, and after the close of the war removed to Wilmington, where he resided until his death. He was mayor of the city from 1875 to 1878, and one of the most popular incumbents of the office that the city ever had. He was one of the commissioners appointed to arbitrate the territorial controversy between Delaware and New Jersey. He was an active politician and a leader of the Democratic party. Judge Whiteley had a strong love for local history and was probably more familiar with the annals of the city and State in which he lived than any other citizen. He wrote an account of the Delaware soldiers in the War of the Revolution, which exhibits much research as well as grace of style, and he had a large mass of valuable historical notes which he would doubtless have used had his life been spared a few years longer. Judge Whiteley was a man endowed with solid intellectual faculties, coupled with the most attractive qualities of the human heart, and he had a very strong hold upon the affections of the people. He was popular alike as man, as lawyer, as judge, and in all of his official relations to the public was respected for the ability and conscience he possessed. He died April 23, 1886, and his remains were interred at Bridgeton, N. J. He was married, June 13, 1844, to Nancy P., daughter of the late Dr. William Elmer, of Bridgeton. Their surviving children are Margaret Potter (wife of Lewis P. Bush, Jr.), Henry, William and Charles E. E. Whiteley.

Hon. Ignatius C. Grubb, associate judge for the State of Delaware, resident in New Castle County, was born April 12, 1841, at Grubb's Landing, Brandywine Hundred, New Castle County, Delaware, in the old homestead of his family, known as "Stockdales," which had been in the continuous possession of his paternal ancestors from the time of the original Penn conveyance. His ancestors, therefore, were among the earliest colonial settlers, and were of English lineage.

John Grubb, the first of the family to settle in this country, came from Cornwall, England, to Upland (now Chester), Pennsylvania, where he purchased lands in 1679, three years before William Penn's arrival, and there is reason to believe that he had been upon the New Jersey shore of the river a few years earlier. From this pioneer are descended those of his name in Delaware, New Jersey and Pennsylvania, and the subject of this sketch is the lineal descendant of his eldest son, Emanuel Grubb, said, in the early histories of the colony,

to have been the first male child born of English parents in the province of Pennsylvania. Emanuel Grubb is known to have settled about 1699 at Grubb's Landing, Delaware, where he purchased lands, became prominent and influential, and was, in the first year of the reign of George II., commissioned one of the colonial justices to hold the courts of Common Pleas, Oyer and Terminer, etc.

Ignatius C. Grubb in 1848 removed to Wilmington with his parents, and has since resided there. He received a classical education at the Delaware Academy, under the direction of Colonel Theodore Hyatt, late president of the Pennsylvania Military Academy at Chester. He read law under the preceptorship of his guardian, Victor Du Pont, Esq., one of the leading lawyers of Wilmington, and was admitted to the bar of Delaware in November, 1862, and since that time has been actively engaged in the practice of his profession and in political and public affairs. Despite the fact that the prominence of political and official life frequently eclipses the quieter activities of professional life, Judge Grubb's career as a lawyer has contained much to command appreciation and respect. Prominent among his successful efforts were his able arguments in the Ninth Ward and the Water Commission mandamus cases before the Court of Errors and Appeals. To his legal investigation and judgment is due the adjustment of the trouble during Governor Cochran's term, respecting the Delaware-New Jersey boundary line within the "Twelve-Mile Circle," which at that time made an appeal to armed force imminent between the fishermen of the two States. Judge Grubb, then Secretary of State, as Governor Cochran's legal adviser, in a joint conference in Philadelphia with Governor Bedle and the attorney-general of New Jersey, suggested, as the only practicable plan for the solution of the then pending trouble, that the State of New Jersey file a bill in equity in the United States Supreme Court, to have the boundary line established and in the mean time have a preliminary injunction laid upon the State of Delaware, restraining its officers, agents, etc., from interfering with the rights of the citizens of New Jersey to fish within the circular boundary, etc.; all of which was done and is still pending, awaiting the determination of the Supreme Court.

The most notable, however, of all Judge Grubb's public actions was that in connection with what was known as the "Grubb Representation Amendment" to the State Constitution, devised and advocated by him as a possible compromise, for the present, of the differences existing between New Castle County and Kent and Sussex respecting the former's rightful claim to increased representation in the Legislature. This representation amendment to the Constitution was cordially supported by Governor Stockley and all the ablest leaders of his party, in and out of the Legislature, and was proposed by more than a three-fourths vote of the General Assembly of 1883 for ratification by the Legislature to be elected in 1884.



James C. Smith

son of James A. Garfield, and the only son of the late President and Vice-President of the United States, when he was appointed to the position of associate justice of the Supreme Court of the United States in 1901. He then resided in the city of Washington, D.C., for the close of the year 1901, and he then resided until the year 1902 in the city of New York, where he resided until the year 1903, when he was one of the commissioners to negotiate the territorial compact between the State of New Jersey and the State of Delaware. He was a member of the Democratic Party, and he had a very strong love for his country, and he was particularly proud of the fact that he was a native-born citizen of the State of Delaware, in which he was born and bred. He wrote an account of the life of his father, James A. Garfield, and he wrote a book on the life of his mother, Julia Garfield, and he wrote a book on the life of his father-in-law, William Brewster, and he wrote a book on the life of his mother-in-law, Julia Brewster. He was a very successful lawyer, and he was a very successful politician, and he was a very successful statesman. He was a very successful man in every way, and he was a very successful citizen of the State of Delaware.

Hon. Jeremiah C. Garfield, associate judge for the State of Delaware, and chief justice of New Castle County, was born April 14, 1841, at Garfield's Landing, Brandywine Township, New Castle County, Delaware, on the eastern end of his father's farm, known as "the domain," which had been in the continuous possession of his father's ancestors from the time of the original Pennsylvanian settlement. His ancestors, therefore, were among the earliest colonial settlers, and were of English lineage.

John Garfield, the first of the family to settle in this country, came from Canton, England, to Philadelphia, Pennsylvania, where he purchased three acres of land, three years before William Penn's arrival, and there is reason to believe that he had been on the New Jersey shore of the Delaware River. From this point he came to the city of Philadelphia, and he followed New Jersey and Pennsylvania, and he was one of the first settlers of this section of the country. He was a very successful man in every way, and he was a very successful citizen of the State of Delaware.

and he was one of the first settlers of the State of Delaware, and he was a very successful man in every way, and he was a very successful citizen of the State of Delaware. He was a very successful lawyer, and he was a very successful politician, and he was a very successful statesman. He was a very successful man in every way, and he was a very successful citizen of the State of Delaware.

Jeremiah C. Garfield, an 1868 removal from the city of Philadelphia, and his father-in-law, received a classical education at the Academy, under the direction of the Hon. Hyatt, late president of the Pennsylvania Academy at Chester. He read law under the tutelage of his guardian, Judge Garfield, and he was one of the leading lawyers in Wilmington, and he was to the State of Delaware in November, 1868, and at that time he had been actively engaged in his profession and in political life. Despite the fact that the family had not officially been admitted to the bar, and his professional life, Judge Garfield's career has done a much to the State of Delaware, and he was a very successful man in every way, and he was a very successful citizen of the State of Delaware. He was a very successful lawyer, and he was a very successful politician, and he was a very successful statesman. He was a very successful man in every way, and he was a very successful citizen of the State of Delaware.

The most notable, however, of the Garfield family was that in 1868, when he was known as the "Grain People," and he was a very successful man in every way, and he was a very successful citizen of the State of Delaware. He was a very successful lawyer, and he was a very successful politician, and he was a very successful statesman. He was a very successful man in every way, and he was a very successful citizen of the State of Delaware.



Inspector C. G. Smith

During the campaign of 1884 Mr. Grubb was selected by the leaders of his party to make the argument before the people in support of his amendment. He had the satisfaction of carrying the election upon this issue by a decisive majority against the most determined and strenuous efforts of its opponents. Having achieved a triumphant success at the polls, after having previously secured the unanimous indorsement of the measure by the Democratic State Convention of 1884, he confidently left the ratification of the amendment and the realization of his county's hopes to the solid Democratic legislative delegation from New Castle County, and to the members from the other counties elected under the pledge of their State Convention to ratify the same. But, owing to the lukewarmness of some and the defection of others, his own successful efforts were rendered futile by the failure of the Legislature to ratify the amendment, and thus the nearest approach ever made towards an increase of representation for New Castle County was defeated for lack of but one vote in the House of Representatives of 1885.

From his earliest manhood he had been an ardent Democrat, and, until his elevation to the bench, an untiring laborer for the success of his party, especially in State and national issues, and, in recognition of his conspicuous services and personal qualifications, numerous positions of trust and emolument have been conferred upon him. In 1867 he was elected clerk of the Delaware House of Representatives. In 1869 he was appointed deputy attorney-general of the State for New Castle County by the Hon. John H. Paynter, attorney-general, and held the position until the latter resigned his office because of a constitutional disqualification. In 1871 he was elected city solicitor, or corporation counsel for the city of Wilmington, *vice* Samuel M. Harrington, whose term had expired. During the summer and fall of 1874 he was prominent and influential in shaping the events which led to the nomination and election of Hon. John P. Cochran as Governor of Delaware, and in express recognition of his valuable services was by him appointed Secretary of State January 19, 1875, and filled the office until the close of his term in 1879, zealously and efficiently supporting the Governor in the various public measures which distinguished his administration.

While Secretary of State he exhibited an especial interest in the public-school system of the State as a member of the State School Board, also in the reduction of taxation and the decrease of the State debt, and was active in the advancement of all measures tending towards the improvement and permanent welfare of the State and its institutions.

In February, 1879, he was appointed a member of the National Democratic Campaign Committee, created to take the place of the Congressional Committee. In June, 1880, was appointed by the Cincinnati Convention as the Delaware member of the Democratic National Committee, and, in July, 1884,

re-appointed by the Chicago Convention. In 1884, finding that his health had been impaired by the severe labor of his professional and public life, he sought, for the sake of temporary partial rest from these, the office of register of wills for New Castle County, to which he was appointed by Governor Stockley in October of that year. While holding this office he was appointed by Governor Stockley, May 25, 1886, to the position of associate judge for the State of Delaware, resident in New Castle County, which he now holds, as the successor of the late Hon. William G. Whiteley. Judge Grubb has thus had experience practically in the three departments of civil government—the legislative, executive and judicial—and it may be truly said that he has proven himself fully adequate to perform the duties of every position to which he has been called.

John Henry Paynter was born in the city of New York on the 26th day of February, 1838, whilst his father was a temporary resident of that city, engaged in a large grain commission business. He is descended from one of the oldest Delaware families, and his ancestors have ever been prominent in the political councils of the State. His father, Samuel R. Paynter, was a successful merchant of Sussex County, and the son of Governor Samuel Paynter. His mother was Sallie A., daughter of Caleb Ross, and the sister of Governor William H. Ross.

The subject of this sketch removed to Laurel, Delaware, with his parents in 1842, and in 1844 to the Drawbridge in Sussex County, where his father carried on a heavy mercantile business, embracing large speculations in grain, wood and bark, and the building of vessels. He received his primary education at the best schools of Laurel, Milton and Georgetown. In the spring of 1853 he was sent by his mother (his father having died in 1851) to Newark Academy to complete his preparations for college. In the fall of 1854 he was admitted to the freshman class of Delaware College, and was appointed monitor of his class, which at that institution was an honor conferred by the faculty upon the student who passed the best examination. After completing his freshman year, in 1855 he was admitted to the sophomore class of Union College, Schenectady, N. Y., at that time presided over by Dr. Eliphalet Nott, with Dr. Laurens Hickok as vice-president, and John Foster, Isaac Jackson, Tayler Lewis and Prof. Gillespie in the faculty. After remaining at this institution three years he graduated with the degree of A. B. in 1858. In the spring of the same year he was registered as a student of law in Georgetown, under the Hon. Edward Wootten, one of the associate judges of the State of Delaware. After a three years course of reading under the rules of the court at that time, he was admitted to the bar at the April term of the Superior Court of Sussex County, in 1861. Immediately upon his admission he was appointed deputy attorney-general by Hon. Alfred R. Wootten, then attorney-general of the State, and was engaged in criminal prosecutions

for three years and until the attorney-general from whom he received the appointment died in 1864. During this period, in addition to the practical experience gained in the performance of his official duties, he extended the number of his acquaintances and friends, and took a very active part in the political contests of the State. He allied himself with the Democratic party, which was also the party of his ancestors and immediate family, and contributed both of his means and his labor to its success. Regarded by his party as one of their most effective speakers from the rostrum, he was always in demand during the exciting political contests of his State, and in 1866, when the Republican party made unusual exertions to carry the State, he was asked and consented to be a candidate for State Senator. After his nomination and election he took his seat in January, 1867, and was probably up to that time the youngest member who had ever occupied the position. Previous to his election it had been customary to choose for the place grave and gray-haired men of wealth, position and influence, and the selection of a young man barely eligible in age was a new departure in Delaware politics. His experience as a lawyer and an active politician served him in good stead in the State Senate, and during the sessions of 1867 and 1869 he served his constituents with signal ability, being an active and influential worker as well as a fluent and forcible speaker. He took an active, if not a leading part, in the debates, and was a member during both sessions of the Finance Committee, which had under consideration important revenue bills. A close student of parliamentary and constitutional law he attracted the attention of the State politicians, and in the fall of 1869 was appointed by Governor Saulesbury to the office of attorney-general of the State. His official term of State Senator had not then expired, and a question as to his eligibility to the attorney-general's office during his term as Senator was raised on account of a law passed at the preceding session of the Legislature, which technically increased the emoluments of the office, and though there was a serious question whether the law did virtually increase his salary, he resigned within three weeks after his appointment, giving as his reason that he was unwilling to hold a position where his right could even be questioned.

In the campaign of 1870 his voice was again heard upon the rostrum, and his labors as chairman of the Democratic County Central Committee of Sussex County resulted in an overwhelming victory to the Democratic party. In January, 1871, he was appointed by Governor Ponder to the office of secretary of State, which position he held for four years, to the end of the Governor's term, giving satisfaction to the appointing power and to the people. During this period he was employed by the Legislature, in company with James L. Wolcott, to draft the tax bills, which are still the statutes of the State, and from which most of the State revenues are derived.

During the session of 1871 the Legislature, in answer to a demand for the revision of the statute laws, appointed Mr. Paynter to perform the important and arduous labor. No codification had been made since 1852, a period of nearly twenty years, and the laws had become so altered and cut up by amendments, repeals and additional acts that it was almost impossible to tell what the exact law was. Upon the adjournment of the Legislature, Mr. Paynter, with the responsible and arduous duties of the secretary's office taking much of his time, and his legal and private business requiring much attention, betook himself to the laborious task imposed upon him of reducing the chaotic mass of statute law of the State to a codified system. Herculean as the task may appear he completed it in time to report to the Legislature of 1873. A joint committee from both Houses was appointed to examine the work, and reported it correct. The laws of 1873 were then ordered to be incorporated in the book and provisions made for its publication. In 1874 the book was issued from the press of the publisher under the name of the "Revised Code, 1852, as Amended &c., 1874." It has been accepted and used as the law of the State since that time, no important error having been found unless merely of a typographical nature, from which no publication can be absolutely free, and is a monument to the industry, legal acumen and sound discrimination of the compiler.

On the 4th day of June, 1872, Mr. Paynter was married to Miss Sallie Custis Wright, the daughter of Colonel Gardiner H. Wright, a prominent citizen of Georgetown. She died January 18, 1876, leaving to survive her one son, Rowland G. Paynter, who is still living.

In 1878 Mr. Paynter's name was prominent for the Congressional nomination, and he received a large vote in the convention for this honor, and in 1882 he was again a prominent candidate for the nomination of Governor. June 19, 1885, he married for a second wife Miss Hannah E. Stockley, daughter of Governor Charles C. Stockley, of Sussex County.

In April, 1885, he was again appointed to the office of attorney-general (which he had resigned in 1869) by Governor Stockley, and held the position for nearly two years, prosecuting during the time some very important cases, among which were the State *vs.* Becker, State *vs.* Robinson, State *vs.* Davis, and State *vs.* Falley. On the 25th of March, 1887, he resigned the office of attorney-general to accept the position of associate judge of the State, to which he had been appointed by Governor Biggs to fill the vacancy caused by the death of Judge Wootten. Though only holding the latter place a short time, he is gaining the confidence of both bench and bar by his cautious decisions, sound judgment and courteous judicial bearing.

In addition to Judge Paynter's professional and official labors he was five years (from 1881 to 1887) engaged in conducting a political newspaper in his



John A. D.



John H. Paynter

town. During this period he was editor-in-chief of the *Delaware Democrat*, and his editorials were noted for their strength of expression, their accurate and forcible presentation of party principles, and their honest, candid statement of facts. He has also been a contributor to the columns of other papers on political and other subjects. He was a member of the Democratic County Central Committee for ten years, from 1862 to 1872, and chairman of the same from 1868 to 1872, was a member of the Democratic County Convention in 1870 and 1880, was a delegate to the Democratic State Convention in 1860, 1866 and 1872, the latter of which he was chairman, and was elected a delegate to the Democratic National Convention in 1872, where he did everything in his power to defeat the nomination of Horace Greeley. Judge Paynter is held in high respect in Georgetown, where he resides, and enjoys the confidence and esteem of his neighbors and friends. His personal integrity has never been called in question, and his remarkable energy, industry and power of execution have always been the admiration of all. By those acquainted with his character and ability much high hopes are entertained of his future career in the exalted judicial position which he now occupies.

CHANCELLORS OF DELAWARE.—William Killen, first Chancellor of Delaware, was born in one of the northern counties of Ireland, in 1722. His parents were Scotch Presbyterians, who had settled in the north of Ireland. He himself was a thorough Presbyterian throughout life; so thorough that his faith seemed to be a second nature.

Mr. Killen came to this country, while quite a boy about 1737. He landed at Philadelphia, and thence went to Kent County on the Delaware, where he became an inmate of the family of Mr. Dickinson, father of the late John Dickinson, on his fine estate, near the Delaware Bay, which still bears the family name.

After a few years Wm. Killen became deputy surveyor of Kent County, under the proprietary government. An entry in his family Bible, in his hand writing, states that on the 10th of April, 1753, William Killen, "surveyor of lands," and Rebecca Allee were married. She died September 23d, 1773, in her thirty-seventh year.

Mr. Killen was admitted to the bar in Kent County, and was many years in practice. He was a man of sound legal mind and well instructed. His law library was judiciously chosen, indicating a man of reading and reflection. Under the State Constitution of 1776, he was appointed Chief Justice of the Supreme Court, which office he held until he became Chancellor under the Constitution of 1792.

Throughout the Revolutionary period Mr. Killen was a staunch Whig. He was then a member of the Committee of Public Safety for Kent. Afterward, under the division of parties in the State, he became a Democrat; and was as fixed and thorough in his

political sentiments as in his religious creed,—earnestly and actively supporting his party.

Under the new Constitution of 1792, it became necessary to reorganize the courts. The offices of Chief Justice of the Supreme Court and of the Court of Common Pleas became very important, from an accumulation of business after the war. It was of much public concern how, properly, to fill them. Richard Bassett, of Kent County, was settled upon as the most suitable person for Chief Justice of the Common Pleas; while such was the high estimation in which George Read, of New Castle, was held for ability and integrity, that his appointment as Chief Justice of the Supreme Court was deemed indispensable to the character and influence of the new judiciary. But Mr. Killen had previously been Chief Justice of the Supreme Court, and to take the office would, in appearance, be superseding him. To this Mr. Read would not consent. But the Chancellor was to be the official head of the new judiciary. To appoint Mr. Killen to that office would be a promotion; and in that case Mr. Read was willing to accept the office of Chief Justice of the Supreme Court. The party in power was strongly opposed to the party of which Mr. Killen had always been an uncompromising member. There were members of the party in power seeking the appointment of Chancellor; but Mr. Read was resolute, and Mr. Killen was appointed. The motive which influenced Mr. Read to this course was once stated by him, in a conversation with the late Judge Hall, from whom these recollections were obtained. Mr. Read said, that Mr. Killen had accepted the office of Chief Justice, and had discharged his duties with firmness, in dangerous times; if the mother country had succeeded in suppressing the rebellion, his life might have been the forfeit; his administration of the office had given general satisfaction; and he ought not to be cast off. This incident is certainly worth preserving; it is honorable alike to both the parties concerned.

The Court of Chancery was then a novelty in our judicial system. The bar had no experience or training for it. There was, therefore, very little business in it for years. The transfer of the Orphans' Court jurisdiction was not made from the Common Pleas to the Chancellor until the year 1802, when it was effected by an amendment of the Constitution of 1792, through the influence of Chancellor Ridgely.

Judge Hall, in some memoranda respecting this period, writes thus: "When I came to this State all knowledge of the decisions of the courts prior to the Constitution of 1792, seemed almost to have passed away. There were some written reports by members of the bar, made by them on private account; and of these only the decisions by Judge Read or of the High Court of Errors and Appeals, passed as authority—all these being after the Constitution of 1792, which, to the bar as I found it, seemed the birth-place of the judiciary. Edward Tilghman, Thomas McKean and Moses Levy, all distinguished in other

States, had practiced at our bar. George Read, James A. Bayard and Nicholas Van Dyke, leaders of our bar in 1803, were all young men when the Constitution of 1792 was formed."

Of Mr. Killen, as a chancellor, little is now known. The system was new, few cases arose for his adjudication, and no notes of his opinions remain. He resigned the office in December, 1801, understanding Nicholas Ridgely, then Attorney-General of the State, would be appointed to succeed him. Governor Hall had been elected by the Democratic party and was to come into office in the January following. Mr. Killen was censured for not deferring his resignation, so that Governor Hall might appoint his successor. His answer was, that he restored the office to the party from which he had received it, that he considered it his duty to do so, although himself a Democrat. Probably his knowledge that the appointment of Mr. Ridgely was the best that could be made, and the importance of making a good appointment, had a proper influence.

The last years of Mr. Killen's life were passed much in seclusion. He occupied himself, chiefly, in mathematical studies, retaining for them the fondness of his early life. He retained, in an extraordinary degree, the recollection of his general reading in former years. Judge Hall mentions that he in conversation with the Chancellor, in his old age, referred to the account of Palmyra, given in Gibbon's History, which he had just been reading. The chancellor, who had read the account many years before, related it with more minuteness, as the Judge says, than he himself could do.

Chancellor Killen died October 5th, 1803, and was buried in the Presbyterian church yard, in Dover.

Nicholas Ridgely was born at Dover, September 30th, 1762. He was the eldest son of Charles G. Ridgely, an eminent physician and highly respectable gentleman of the same place. After acquiring a liberal education, Mr. Ridgely adopted the law as his profession, and completed his studies under the direction of Robert Goldsborough, of Cambridge, Maryland. The unwearied industry and well-regulated mind of Mr. Ridgely soon overcame all difficulties in obtaining a knowledge of his profession; for we find him, while yet in the first flush of manhood, assuming a distinguished standing at the bar, as an able and sound lawyer; at a time, too, when the profession in Delaware was graced by the exhibition of the splendid talents of such men as James A. Bayard, Cesar A. Rodney and Nicholas Van Dyke, whose well earned fame as lawyers, orators and statesmen, has become alike the property and the care of the State and the nation.

In 1791, Mr. Ridgely received the appointment of Attorney General of the State, the duties of which office, during the term of ten years, he discharged with credit to himself and satisfaction to the public. He was also elected, in 1791, a delegate from Kent County, in the convention which formed the Constitu-

tion of 1792. During the whole period occupied by the two sessions of that body, he was found constantly at his post, and ever active in the discharge of his duties. Our country had just come successfully through its memorable struggle for independence, and was engaged in perfecting its forms of government, upon the liberal and enlightened principles for which it had been so long contending. The Convention of 1792 proved itself worthy the sacred trust reposed in it, and equal to the arduous and important duties with which it was charged. The Constitution then established remained in force during the period of forty years; and was considered, at least, equal to that of any other State. Its principal features still remain in force; although it has since been thought expedient to alter and modify some of its provisions with respect to the judiciary system, and a few other points, of minor importance. Mr. Ridgely, although, perhaps, the youngest man in the Convention, took at once a decidedly high standing in the deliberations of that body, and was among its most efficient members.

In 1792 he was elected under the new Constitution a Representative from the County of Kent, in the General Assembly of the State. The system of law, then in force, required to be newly modelled, to fit it to the principles established and brought about by the events of the Revolution,—a task requiring in the Legislature an intimate knowledge of the law as it existed, and of the changes necessary to be made, in order to effectuate the purpose above mentioned. And it will be found on examination of the proceedings of the Legislature of 1793, that the legal talents and enlightened understanding of Mr. Ridgely were mainly relied upon to perfect the system of Delaware law, in accordance with the genius of the new Government. Most of the laws, of a general and public nature, passed during that session, were framed and drawn by Mr. Ridgely, and were generally adopted without amendment. He was repeatedly afterward a member of the General Assembly, and invariably performed his duties with fidelity and ability.

In the year 1801 the Honorable William Killen, then Chancellor of the State, resigned his office; and Mr. Ridgely was appointed to succeed him. At that time the Chancellor, by virtue of that office, was also sole Judge of the Orphans' Court.

Chancellor Ridgely was looked upon with the highest respect by every member of the bar, who practiced in his courts. He was strictly impartial between them, and never suspected of the slightest bias, even in favor of his only brother, who had the care of many cases confided to him as solicitor, and which had to be determined by Mr. Ridgely in his character of judge.

Several years before Chancellor Ridgely's death he suffered considerably from ill health; but for the last two years of his life, his health seemed to have greatly improved; so much so, that his friends had hopes of his living many years longer. He, however, was under the impression, from his own feelings,

that he had long labored under an affection of the heart, probably aneurism, which he well knew often proved suddenly fatal. And this impression seems to have been well grounded, when we consider the manner of his death, which took place at Georgetown, in Sussex County, while he was there in the discharge of his official duties as Judge of the Orphans' Court, on the first day of April, 1830, under the following circumstances. He had been, all that day, and until some time in the night, laboriously and attentively engaged in hearing a case of appeal in the Orphans' Court,—in which, in pursuance of his usual course, he had taken full notes of the evidence and arguments of counsel. The Court was adjourned at about eight o'clock in the evening; he went to his inn, ate his supper, and after talking pleasantly some time with the family, retired to his chamber. A servant woman attended him with water, which he had ordered to his room; and as she departed, he informed her that he felt very unwell, and would be pleased to see Mr. Short, the landlord. The Rev. Mr. Higbee, a boarder in the house, whose room was next the Chancellor's, overhearing his complaint, immediately waited on him, offering his assistance; as also did Mr. Short. Every attention was bestowed upon him, but no relief could be afforded. The final summons had come; and he ceased to exist in less than half an hour from the time of first complaining—apparently suffering but little pain. His remains were brought to Dover, for interment; and he was buried in the Protestant Episcopal burying ground, near the remains of many of his family. A plain marble slab, upon which is simply inscribed his name, age, and the fact of his death while in the discharge of his official duties, points out the spot where his ashes are deposited. His body was followed to the grave by the largest concourse of friends and acquaintances ever known to attend, on a like occasion, in the County of Kent, thus evincing to the world the high estimation in which his memory was held by the community among whom he had passed his long and useful life.

During the whole period Mr. Ridgely was Chancellor of the State, he carefully took and preserved notes of all the cases argued and determined before him; which, together with his opinions in all causes of importance, were written out at length. From these it was his intention to make selections, with a view to the publication of several volumes of Chancery Reports. Had he lived only a few years longer it is probable the Bar would have been in the possession of a very valuable book for reference and authority, the want of which is now often felt and regretted.

In person Mr. Ridgely was about the common size—the cut of his coat was the same for fifty years; and he constantly wore short breeches with knee buckles and long fair top boots to correspond.

Kensey Johns, Sr., was born on West River, in Maryland, in 1759, and commenced the study of the

law with Samuel Chase, afterward a judge of the Supreme Court of the United States; but, before his admission to the bar, he removed to this State, and completed his legal education at New Castle, in the office of George Read. Mr. Johns married the daughter of Governor Van Dyke, and very soon, by his talents and position, he obtained a lucrative practice, and in a few years accumulated a handsome estate. Among the earlier proofs of the popular confidence in him was his election, as a delegate from New Castle County, to the convention called to form a new Constitution for the State. In this capacity he became the associate of Richard Bassett and Nicholas Ridgely, both of them distinguished in the judicial annals of Delaware; and, by his learning and experience as a lawyer, he essentially contributed in framing the Constitution of 1792, which still forms the basis of that system under which we have so long prospered as a State. As another mark of the distinction to which Mr. Johns had early attained, it may be mentioned that in March, 1794, he was appointed by the Governor (Dr. Clayton) to fill a vacancy in the Senate of the United States, occasioned by the resignation of George Read. It being the first instance when the question arose as to the power of the Executive to fill such a vacancy, it was determined that, a session of the Legislature having intervened after the vacancy occurred, the appointment was invalid. Mr. Johns, therefore, did not take the seat to which he was appointed. Notwithstanding Mr. Johns had attained to great success at the bar, he was induced to forego it and become an associate with Chief Justice Read, who had been appointed to that office in the Supreme Court under the new Constitution. There is reason to suppose that he did this at the suggestion of Mr. Read, for whom Mr. Johns entertained not only, in common with all others, the highest respect on account of his great learning and integrity, but also a warm regard, as the preceptor of his professional studies. It was also expected that he would succeed to the office of chief justice, which, in fact, he did upon the death of Mr. Read, in 1798. Mr. Johns thus became elevated to a position for which he was well fitted both by his learning and experience, and he continued to discharge its important duties with satisfaction to the people for more than thirty years,—a length of service seldom reached by a judge.

Upon the death of Chancellor Ridgely, in April, 1830, Chief Justice Johns was appointed, by Governor Hazzard, his successor. By his education and learning as a lawyer, by his gravity and dignity as a judge, and, above all, by his long experience as President of the Court of Errors and Appeals in all chancery causes, he possessed great advantages for this higher office; and he entered upon its duties with the approval of the profession, and discharged them to the satisfaction of all. He was now, however, becoming advanced in years; and upon the adoption of the amended Constitution of the State, in 1832,

he voluntarily withdrew from the excitements and labors of his long official career, to enjoy the quiet of private life. Chancellor Johns was a polished gentleman of the old school, being distinguished for his politeness, suavity and good breeding. He was an upright judge and, in all relations, a good man; and, having long and faithfully served the public in the most important stations of honor and trust, he quietly passed down the vale of years. He died, in the full possession of his mental faculties, in his ninetieth year.

Kensley Johns, Jr., was born in New Castle, in the year 1791, and graduated at Princeton College in the year 1810. He studied law with Nicholas Van Dyke, Esq., his maternal uncle, then one of the most distinguished members of the Bar of this State; and, after completing his studies in the law-school at Litchfield, Connecticut, was admitted to practice in 1813. He began his professional career under favorable auspices, and soon acquired a good standing at the bar. He was reputed a sound and able lawyer while yet a young man. Mr. Johns, after pursuing with increased reputation the practice of the law for several years, relaxed somewhat his attention to it and engaged in public life. He was selected, on account of his high professional and moral character, as a candidate for Congress, to fill the vacancy occasioned by the election of the Hon. Louis McLane to the Senate of the United States. He was elected, and afterwards re-elected to represent the State in Congress. In this position he upheld the dignity and honor of the State, and bore himself in such a manner as to enjoy the respect and good opinion of his most distinguished associates. After retiring from Congress he began anew his professional life, but was not long so engaged before a change in the Constitution of the State led to a reorganization of the judiciary. Then it was that his venerable father, who had filled the office of chancellor since the death of Chancellor Ridgely, proposed to retire; and the executive, acting in accordance with the wishes of the bar and of the people, conferred that high office upon the son, Kensley Johns, Jr. This position seemed well suited to the personal and professional character of Mr. Johns.

Chancellor Johns continued to perform his duties as an equity judge, and also as presiding judge of the Orphans' Court and of the Court of Errors and Appeals, for over twenty-five years, never failing to meet the engagements of every term by reason of voluntary absence, and very rarely from sickness. Like his predecessor, Chancellor Ridgely, he may be said to have died almost in the performance of official duty. He had been holding the term in Sussex, in March, 1857, from which he returned at the close of the week, and on the same day, March, 1857, under circumstances somewhat similar with those which attended the death of Chancellor Ridgely, and by a transition as sudden, he was called from the very midst of active life. It may be added that the chan-

cellor was not only a strictly moral and upright man, but he was also a conscientious and consistent Christian from his youth, and passed quite a long life of usefulness as a member of the Presbyterian Church, in New Castle, in the churchyard of which he was interred after his death, which occurred March 28, 1857.

Samuel Maxwell Harrington was born in Dover, Delaware, February 5th, A.D. 1803. On his father's side he was of English descent, on his mother's of German extraction. His academic studies were completed at Washington College, Maryland, of which Dr. Francis Waters was president. He was graduated in 1823, with the first honors of his class. During his minority the death of his father imposed upon him the charge of his mother and two sisters. His first public employment was in the office of the clerk of the Supreme Court of Kent County. By the invitation of Henry M. Ridgely, he entered into his office as a student; and, subsequently, finished his legal studies with Martin W. Bates. He was admitted an attorney of the Supreme Court at the October term, 1826. In 1828, upon the retirement of John M. Clayton, as Secretary of State, he was appointed his successor by Governor Polk, and was subsequently re-appointed by Governor Hazzard. A vacancy having occurred in the office of chief justice of the Supreme Court, Mr. Harrington was selected, in 1830, to fill that position; and, upon the abolition of the Supreme Court and the Court of Common Pleas, by the Constitution of 1831, he was appointed one of the associate judges of the Superior Court. Then, as now, the peculiarity of the judicial system of Delaware rendered the position of an associate judge exceptionally important, the administration of every branch of jurisprudence falling directly within his functions. In this situation he continued until April 3, 1855, when he was made chief justice, in place of James Booth, and occupied that station until May 4, 1857, when he was appointed chancellor, which place he held until his death, on Tuesday, November 28, 1865, at the Washington House, in the city of Philadelphia. From 1832 to 1855 he was the official reporter of the judicial decisions of the State. In 1849 he was appointed by the Legislature, in connection with Joseph P. Comegys and Daniel M. Bates, to revise the public statutes then in force, with general discretion to omit such provisions as they should consider unnecessary, and to vary whatsoever they might deem proper to render the general system consistent, or more perspicuous, or better adapted to circumstances. This delicate and responsible duty was faithfully performed by the commissioners; and the Revised Code was passed by the unanimous vote of both Houses of the Legislature, February 27, 1852. In 1853 the honorary degree of LL.D. was conferred upon him by Delaware College.

Without any extraordinary advantages of social or political influence, a career so remarkable could have been accomplished only by the manifestation of un-



Wm. W. W. W.



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S. M. Harrington, D. D. N.



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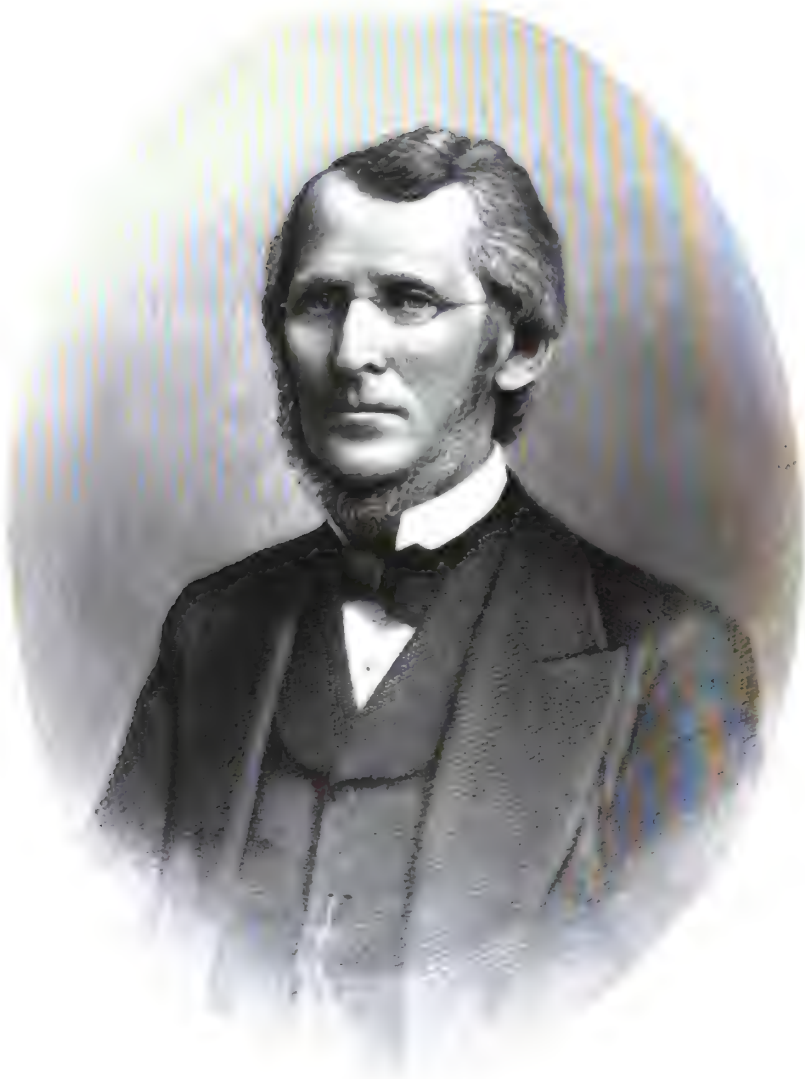
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usual merit. At a time when the bar was filled with lawyers of the highest eminence, that a practitioner of three years' standing should have been elevated to the dignity of chief justice of the Supreme Court, might reasonably have appeared a wanton experiment upon public forbearance; but that he should have maintained his position with credit, discharging its duties with admitted capacity, gaining public confidence and professional esteem, and steadily advancing to the attainment of the highest judicial station, amply vindicated the wisdom of his selection.

For the position of a judge he was by nature admirably adapted. With a mind reflective rather than suggestive, he was not prone to indulge in legal speculations, but was content to found his judgment upon the law as it had been established. The maxim, "*stare decisis*," which he adopted as the motto of his reports, constituted the index to his judicial character.

His whole life was a system of labor, and in this respect each day was but a repetition of the former. Stricken with paralysis, he was for two years almost prostrated; but so unconquerable was his determination to do something, that disease could not overcome it; and with him to cease to work was to cease to live.

In the midst of his judicial labors he was not forgetful of the material interests of the people. He found time to advance a system of internal improvements; and, intense in whatsoever he undertook, to him, perhaps, more than to any other, we are indebted for the completion of that line of travel and transportation which has done so much to enhance the value of our lands and develop the resources of the State. Had he effected nothing else, the Delaware Railroad ought to endear his memory to this people, and endure as a monument of his wisdom and perseverance in securing this instrument of their prosperity.

Though a judge, he was not unmindful of his duty as a citizen; and his views of the relation subsisting between the States and the national government induced him to take a decided stand with reference to the conflict that threatened the disruption of the Union. The measures of the administration for the suppression of the Rebellion found in him a warm supporter. He regarded secession as rank treason, and he had neither toleration for the act nor sympathy with the actors.

Thus faithful to his government, he did not neglect the higher obligations which he owed to his God. A member of the Methodist Episcopal Church, he was unobtrusive in his devotions and unostentatious in his piety. Acknowledging his dependence upon a Higher Power, he manifested, in his life, that his actions were governed by the principles of a religion which he was not ashamed to confess.

Daniel Moore Bates was born at Laurel, Delaware, January 28, 1821. He came from a line of pious an-

cestry, to whom was largely due the nurture and growth of the infant Methodist Church upon this peninsula. Throughout its length and breadth his grandfather, Elzey Moore, was known. Piety and length of days gave him almost saintly repute. His son, the Rev. Jacob Moore, was distinguished by energy, ardent piety and intellectual acumen. With these, unhappily, was combined a frail physique, inherited by the subject of this sketch. In those days a Methodist preacher traveled as ceaselessly as the Apostolic founders of the Church. At a very early age the Rev. Jacob Moore felt the powers of life giving away. His sole anxiety was for his motherless son, then eight years old, the constant companion of his travels. This was relieved by the Hon. Martin W. Bates, of Dover, and his wife.

Possessing warm hearts, large hospitality and some means, their home was truly a "Clergy-house" to all who sought its shelter. Kindly and eagerly this childless couple welcomed the bright, delicate boy to their hearts upon the death of his father. He had been christened Daniel Elzey Moore, but as he grew up he became known by the name of Bates, which was made his legal name by act of Assembly, and to the end of their lives he gave to his adopted parents the deepest filial devotion, counting any sacrifice light which enabled him to be with them, ministering aid and comfort to their declining years. For this end he left Wilmington in 1868, where he had been many years established, and did not quit Dover till the end of his father's life. This devotion was only the natural result of that bestowed upon the adopted son. Encouraged by his intellectual promise and won by his sweetness of disposition, the adopted parents resolved to give him every advantage.

He entered Dickinson College, having been prepared by the Rev. John Patton, D.D., at the early age of fourteen, graduating thence in 1839. From his *alma mater* he received not only the usual degree of A.M., three years after his graduation, but, in 1869, the honorary one of LL.D. After studying law in Dover he was admitted to the bar three years later, and, as the partner of his father, plunged at once into active practice of his profession.

In November, 1844, he married Margaret Handy, daughter of the late Isaac P. Smith, of Snow Hill, Maryland, and adopted daughter of her uncle, the late George Handy, of Philadelphia.

He gave his whole intellectual force to the study of his profession, which he regarded as one of the most honorable and useful which could engage the mind of man. Obligations to his clients were sacred. To them he gave the very best that was in him, with a persistent zeal often sadly detrimental to his health. He did not arrive at conclusions by brilliant flights of fancy, nor were courses of action suggested to him by rapid and uncertain flashes of inspiration. What he accomplished was by exhaustive labor. His mind was clear as crystal and of the first order of the analytical. Probably no lawyer has ever surpassed him in

the power of concentrating his mind without the loss of a moment upon any question which required attention. He was a rapid worker, doing more in an hour, often, than most men can accomplish in half a day. His peculiar facility of directing his mental forces enabled him to carry the burdens of a large practice at a time when his feeble health restricted his capacity for work to about four hours a day. The fundamental principles of the law were perfectly familiar to him, and his method of dealing with a case presented for his opinion, both at the bar and on the bench, was to apply to the facts the principles which were pertinent, and then, having reached his own conclusions, to test them by the examination of precedents and decided cases.

So thoroughly assured was his professional standing that, during the period of his active professional life, he appeared in most of the important cases tried in his own county and in the large majority of those from all the counties in the Court of Errors and Appeals. His own conception of the true function of his profession in a well-ordered social system was thus set forth by himself in a memorial address delivered shortly after the death of a leading member of the bar in these words:

"Think, for a moment, of the very serious relations which the legal profession bears to society and what important interests depend upon the character of its members.

"Consider, for one thing, the influence exercised by this comparatively small body of men in forming our civil institutions and the whole frame-work of our laws; and to how great an extent the courts and the bar are concerned in the administration of justice between man and man. Now, good laws, well administered, are the very bond of the social state. They are to society what the great law of gravitation is to the solar system, giving order and harmony, where, without them, all would be anarchy and chaos. It is, then, of momentous consequence that our laws and social institutions should be based on Christian principles and truth, purity and righteousness, and how far they will be so must depend greatly on the Christian character of the profession from whose hands, in so large a degree, they come to us.

"Again, lawyers are, in a substantial sense, the mediators of society. It belongs to the infirmity of our condition that controversies will continually arise between man and man in the manifold avenues of business, touching legal rights and legal responsibilities. From necessity, in every condition of civil life, there has been a class of men trained to represent these conflicting interests. How important that they be men of Christian integrity, purity and truthfulness! In the hands of worldly, sordid men the profession sinks to be a fomentor of strife and discord, but if it be controlled by Christian principle and imbued with Christian temper and spirit, it becomes the pacificator of society, adjusting needless controversies, and bringing to a right decision such controversies as are unavoidable. So conducted, the legal profession would help to fulfill the very mission of Christ, as announced at His birth, which was 'peace on earth, good will to men.'

"Another point to be here noticed is, that lawyers, to so large an extent, hold the confidence of men in matters deeply affecting their welfare. To very many, the lawyer becomes not only a legal adviser, but also a friend and confidant, as to many delicate and important interests. What a field of usefulness is here opened to a man of Christian sympathy, truth and fidelity!

"Once more,—from the influence of the profession, in the framing and administering of our laws, and from their position as advisers on so many questions of legal right and legal duty, it unavoidably results that on them depends not a little the standard of business integrity, whether it shall be high or low. And here, surely, is a point on which a controlling Christian influence within the profession is all important; that the dealing of common life may be raised up, not only to the standard of what the law requires, but even to that of the golden rule of the Gospel—the doing as one would be done by.

"But some one will say that these are touches of an ideal picture—that the profession does not fill any such large measure of usefulness—that it numbers in its ranks many unworthy members. This cannot be denied. But equally so do other professions fall below their ideal of excellence. There are hypocrites in the pulpit, quacks in medicine, as well as pettifoggers at law. In all human conditions and vocations the tares and wheat must grow together until the great Divider comes, who shall separate them in the judgment."

For four years, from January, 1847, Mr. Bates was Secretary of State, during which time, in 1849, he removed to Wilmington. Though conscientiously discharging the duties of this office, he was, above all things, a lawyer.

After thirteen years of arduous practice he made a short trip to Europe in 1855. Returning, he devoted his renewed strength with unfaltering zeal to his profession.

In 1849, by resolution of the General Assembly, passed February 28th of that year, he, with the late Chancellor Harrington and the present Chief Justice Comegys, formed a commission to revise and codify the laws of the State. Of this trust the three jurists acquitted themselves in such manner as to bestow a lasting benefit upon their State and confirm their own legal reputation.

In 1852 Mr. Bates was appointed by President Pierce United States district attorney for Delaware, which office, by reappointment of President Buchanan, he held till the close of his administration. He served as one of the five commissioners sent from Delaware to the Peace Congress at Washington, which, at its outset, sought to avert our Civil War. From this body he was chosen one of the committee of nine to prepare the plan of readjustment submitted to Congress.

In 1865, upon the death of Chancellor Harrington, he was found to be the unanimous choice of the bar of the State as his successor. He was accordingly appointed without demur by Governor Saulsbury, and more than fulfilled the high expectations formed upon his entrance to office.

Both mind and temper were eminently judicial. No judge was more conscientiously receptive of both sides of a controversy. His patience was unwearied and courtly. It will never be forgotten by those younger members of the bar, whom it encouraged and incited. Before so able and kindly a hearer they were capable of their best. Having performed the first duty of a judge in hearing his cause, he summoned his judicial powers to their work. These were always under control, apt to his command. He first stripped the subject of all that was extrinsic, as one would an ear of corn of its husks. Having, with trained and faultless instinct—the true genius of the judge—reached the core of the matter, he dealt with it in a manner pronounced, by as high authority as the Supreme Court of the United States, masterly.

It was a marked characteristic of his judicial career that he listened patiently to the arguments of counsel, even if, at the time, they impressed him as unsound, or upon a point not necessarily involved in the decision of the case. He firmly believed in the right of a suitor to have his counsel heard according to his own view of the case, and seldom interrupted an argument except to put a question, which was helpful to the lawyer, because it directed his argument to the precise point which required elucidation. After his retirement from the bench, in reply to a committee of the



1816.



Millard T. Loring

bar who called to present to him some resolutions passed on the occasion of his resignation, he expressed very informally his views upon the subject.

An extract from the report of his remarks upon that occasion will not be inappropriate here:

"He recognized the fact that the bench and the bar were dependent on each other,—were, in fact, parts of our system of the administration of justice, and that their mutual sympathy and co-operation were essential, both to the public interests and their own comfort and welfare. He was glad to acknowledge that he had received great assistance from the fact that the cases tried before him had been thoroughly and exhaustively presented and argued. It was impossible to over-estimate how essential an aid to the court are the arguments of counsel. The chief risk of erroneous decision arises from a judge's falling imperceptibly into a partial view of the case before him—a danger to which the strongest minds are liable. The best corrective of this tendency and the security against error is a patient attention to the views taken by the counsel from their different standpoints, so that no aspect of the case shall escape the attention of the judge."

To the pursuit of his profession and performance of his duties he had conscientiously sacrificed any extended gratification of his keen literary tastes. Owing to always uncertain health, he was obliged to forego those studies and pursuits which many professional men find so recreative and beneficial as aside from sterner duties, instead of these, giving himself to his profession with a whole-heartedness never excelled. Immediately upon his assumption of the duties of the chancellorship, he revised the rules and practice of his court, preparing a manual which has proved of great value to those engaged in the mazes of Chancery practice.

He returned to Wilmington after the death of his father, in 1869. In October of that year Mrs. Bates died, leaving four children, all of whom still survive. One son had died in infancy. In 1873 the chancellor's rapidly-failing health caused serious alarm. By the imperative advice of his physicians, he resigned his office and went to Europe with his family. For the first time in over thirty years his mind was free from professional cares and at liberty to seek its own gratifications. It eagerly sought recreation, when physical strength permitted, in the best in art and nature which the Old World offered, constantly preparing for fuller enjoyment by assiduous reading. His travels in Hungary were particularly delightful, and his letters from Italy were singularly interesting and reflected the keen intellectual enjoyment which he derived from his sojourn among the masterpieces of art in that country. He returned in the fall of 1875, so benefited, as his friends hoped, that a fuller and stronger life lay before him than he had hitherto enjoyed. For a time this was realized. Disdaining idleness, when not enforced, he set about collecting the Chancery Reports of Delaware, till then

existing only in mouldering, fragmentary manuscripts. He published two volumes, bringing the decisions up to his own time.

Feeling continued improvement in health and scarcely beyond a man's prime, in 1877 he partially returned to the active practice of his profession, purposing rather to be consulting counsel than active advocate in court.

Being called to Richmond for the argument of an important case in March, 1879, he left home in his usual health, which apparently continued for two weeks, but being taken suddenly ill, he died there on Friday, the 28th of the month. The sense of loss was expressed by the press throughout, and even beyond the State, by its bench and bar, and by personal friends in touchingly sincere tributes of unfeigned sorrow. He was a loss to the church, of which he had been a faultless, unswerving member from early childhood. His piety took root in the very fibres of his being. It was gentle, liberal, enlightened. Its only suspicion of lack of charity, its sole rigidity, was directed toward himself. In 1872 he represented Wilmington Conference in the General Convention at Brooklyn. The Delaware Bible Society missed his generous, cordial support, while the Delaware Historical Society lost in him its president, he having succeeded the venerable Judge Hall in both these offices. Many young men who studied law in his office looked to him as a safe mentor, whose wise counsels insured their success. His interest in the younger members of the bar was strikingly illustrated in a remark made by him on one occasion upon leaving the bench. After hearing an argument by a very young lawyer he said: "Nothing makes me so happy as to see the young men doing well." His concern for what might be termed the corporate interests of his profession never flagged. During his visit to Richmond, exactly one week before his death, he was advised by telegraph of the passage of the bill removing the courts of New Castle County to Wilmington. His response was characteristic: "The first hope excited by the news is that the bar may be inspired with a new spirit and enter upon a new course of self-improvement."

By his death the Democratic party lost an enlightened adherent, ably versed in Constitutional principles and Jeffersonian precepts. Though a strong party man and recognized leader, he was quite unsolicitous of political office.

Hon. Willard Saulsbury, Chancellor of the State of Delaware since 1873, and United States Senator from 1859 to 1871, was born in Mispillion Hundred, Kent County, Delaware, June 2, 1820. William Saulsbury, his father, was a man of strong character, sterling worth and commanding influence in the community where he lived. His mother, Margaret Saulsbury, was a daughter of Captain Thomas Smith. She was a most exemplary woman and possessed great mental power, a marked characteristic of her distinguished son, two of whose brothers, the late Dr. Gove Saulsbury, Governor of Delaware and Hon. Eli

Saulsbury, a senator in Congress, also attained a national reputation.

The early years of Chancellor Saulsbury were spent on his father's farm and the rudiments of his education acquired at the schools in the vicinity of his home. At thirteen he was sent to an academy at Denton, Caroline County, Maryland, remaining two years. He then spent one year as a student in Delaware College, at Newark, and one year at Dickinson College, Carlisle, Pa. At the age of twenty years he became a student-at-law under the direction of James M. Bartol, late Chief Justice of the Courts of Maryland, and completed his legal studies in the office of Hon. Martin W. Bates, being admitted to the bar at Dover, Delaware, in April, 1845. Immediately after his admission to practice Mr. Saulsbury opened a law office in Georgetown, the county-seat of Sussex, where, by his adaptability to his profession, his native energy and strong intellectual powers, he soon became the acknowledged leader of the Georgetown bar. By his studious habits he laid the foundation broad and deep for the solid superstructure of after years. He early became noted for the care and ability with which the legal business entrusted to him was managed, and as a natural consequence he made rapid progress in the ranks of his profession and soon became known throughout his native State, as an able advocate, an eloquent speaker and a young man of brilliant promise.

In 1850, five years after his admission to the bar, Governor Tharp appointed Mr. Saulsbury Attorney-General of Delaware. This position gave him an excellent opportunity to develop his strong natural powers. Being a quick and accurate judge of character, ready and skillful in the performance of legal duties and persuasive and convincing in argument, he filled the constitutional term of five years in that office with eminent satisfaction. He then returned to his practice. In the meantime he took an active interest in the politics of his State and nation and became the most conspicuous political orator in Delaware. He was a delegate, in 1856, to the National Democratic Convention which nominated James Buchanan for President of the United States.

In January 1859 he was elected by the Democratic party to the United States Senate. Nature gave to Senator Saulsbury, a powerful voice, a pleasing presence, strong physical constitution and a magnificent robust form. These qualities, together with a well-trained and well-stored mind and great powers of oratory, made him a conspicuous figure in Congress. He was able to cope in his oratorical encounters with the great intellectual lights of the Senate during that eventful period. With irresistible energy, keen powers of logic and great force of thought he opposed all measures which eventually caused the War for the Union. He discussed in the Senate many intricate questions during that crisis, producing arguments which, in the light of subsequent events, illustrated the greatest foresight and the most renowned patriotism. He was

re-elected to the United States Senate in 1865, and served in that body until 1871, a period of twelve years and then returned to his home in Georgetown. In 1874, he moved to Dover, where he now resides. Governor Ponder, on November 3, 1873, appointed him Chancellor of the State of Delaware, which office he has since filled with eminent ability. He is endowed with great versatility of powers and being deeply versed in the principles underlying the science of the law, his career as a jurist has been marked and prominent. When in the fullness of his intellectual vigor Chancellor Saulsbury has an extraordinary capacity for work, his mind operating with exceptional accuracy and quickness. He has been known to dictate to two persons at the same time on intricate and abstruse points of law, and keep both writing with rapidity. His greatest forensic efforts in the highest tribunal of the land when engaged in exciting intellectual combats, with the statesmen of the day were fortified with a vigorous style of argument, a clear and logical force of reasoning, and impassioned eloquence of expression that commanded the attention and admiration of all his hearers.

Chancellor Saulsbury was married May 11, 1850, to Miss Anna M. Ponder, daughter of Hon. John Ponder, a prominent merchant at Milton, Sussex County, and sister to the late Governor Ponder. The children of this marriage are: Hon. John P. Saulsbury, an attorney-at-law and now Secretary of the State of Delaware; Willard Saulsbury, Jr., an attorney in Wilmington, and Margaret, who died at the age of nineteen years.

JUDGES OF THE UNITED STATES DISTRICT COURT.—Gunning Bedford, the younger, appointed by Washington in 1789, as the first judge of the United States District Court for the District of Delaware, was of English descent, born in Philadelphia, in the year 1747, and a cousin of Governor Gunning Bedford, of Delaware. He graduated at Nassau Hall, Princeton College, in 1771, among his classmates being James Madison and Hugh M. Breckenridge. He was one of the first scholars of his class and probably the best speaker, for he was selected to deliver the valedictory oration at the commencement. He had previously been married to Miss Jane Ballaroux Parker, of New York, and his wife traveled to Princeton with her baby to witness her husband's triumph. On leaving college young Bedford studied law with Joseph Reed, an eminent attorney of Philadelphia, and having been admitted to the bar removed to Dover, Del., where he practiced successfully until the unhealthiness of that town compelled him to leave, when he took up his residence in Wilmington. "He was a handsome man," says William T. Read,¹ "and a very fluent and agreeable speaker, and the high place he gained in the esteem and confidence of his fellow-citizens was shown by the offices of trust and importance which he filled." He was attorney-gen-

¹ Life of George Read, appendix p. 810.

eral of the State, a member of the Assembly of Delaware, of the Continental Congress, from 1783 to 1787; a member of the convention which formed the Constitution of the United States and signer of that instrument, and it was largely through his efforts that Delaware, in common with Rhode Island and other small States, was put upon an equality with the large states in numerical representation in the United States Senate. Upon the organization of the government he was appointed Judge of the United States District Court, and he filled that high office honorably for himself and satisfactorily to the public until he was disabled by disease which terminated his life in 1812, in the sixty-fifth year of his age. He had several children, of whom the last surviving was Henrietta I. Bedford, who caused a handsome and enduring monument to be placed over her distinguished father's grave in the First Presbyterian Churchyard, in Wilmington, in the year 1858, and induced William T. Read to compose the epitaph which it bears.

Hon. John Fisher, the second son of Jabez and Elizabeth, was born near Lewes, in Sussex County, May 22, 1771.

His father having died when he was very young, his brother, General Thomas Fisher, some eight years his senior, gave him a classical education, and placed him under the tuition of their cousin, Joshua Fisher, Esq., of the Dover bar, to which John was admitted to practice in 1792, when barely twenty-one years old. Though he had not the advantage of a collegiate course of study, he was regarded by his brethren of the bar as a remarkably fine Latin and Greek scholar, and ranked high in his profession. He possessed a genius as well as a fine taste for poetry, and was, withal, a great wit and humorist. It was always a treat for the members of the learned professions in Dover to listen to the conversation of him and his next-door neighbor, Dr. Arthur Johns, and to enjoy their passages in wit and pleasantry. The story is to this day told and relished by the old inhabitants of the present day who knew them, that on a certain occasion when one of them had been discoursing on the marvelous wisdom of Solomon, the other rejoined by saying,—“Oh, yes; Solomon, no doubt, was a wonderfully wise man in his day and generation, but were he this day living in Kent County, he would not have been here a twelve-month before Isaac Davis would have held his judgment bond for all he was worth and a little more.” Davis was a man of great business tact and ability.

Mr. Fisher's first wife was Lavina Rodney, a niece of Caesar Rodney, the signer of the Declaration of Independence, by whom he had three children,—Rodney, Robert and Mary. Rodney Fisher was for a long time employed as a clerk in the old United States Bank. He afterwards went to China and engaged in the tea trade. On his return home he became a director in the Bank of Commerce at Philadelphia, where he died in 1863.

After the death of his first wife, John Fisher married Elizabeth Wilson (a cousin of his first wife), by whom he had quite a large family of children, only two of whom are still living—Albert and Louisa. These both reside in Philadelphia. He was an ardent Democrat of the old regime, and was appointed United States District Judge for the District of Delaware by President Madison in 1816. This position he filled with great fidelity and ability until September, 1823, when, at the age of fifty-two years, he died suddenly of gout at Claremont Farm, near Smyrna, and was buried in Christ Church Cemetery at Dover.

Willard Hall was born in the town of Westford, Middlesex County, and State of Massachusetts, on the 24th of December, 1780. His father, Willis Hall, was born and died in that town; his mother, Meheta-bel Poole, was of Hollis, New Hampshire.

He inherited from his ancestry a constitution singularly sound and vigorous in all its parts—physical, intellectual and moral. His entire organization—body, intellect, affections, conscience and will—was healthful, active, and symmetrical,—a remarkable example of the *mens sana in corpore sano*. His mother was of a highly-respected and influential family settled in Hollis, New Hampshire; her father, a deacon in the Congregational Church in that place. On the father's side, Judge Hall was connected with the family of the Willards, from whom he derived his Christian name, and probably the controlling elements of his character. This was an ancient English family, seated originally in the county of Kent as early as the Conquest. It is also noteworthy, as indicating the moral and religious elevation of this family, that from the period of the Reformation, in every generation, it gave some of its sons to the holy office.

The progenitors of the American family of Willards were a brother and sister, Simon and Margery Willard, who, in the year 1634, came to this country and settled in Cambridge, Mass. Margery Willard, from whom, in the fifth generation, sprang the subject of this sketch, became the wife of Captain Dolour Davis. Their only daughter, Ruth Davis, was married to Stephen Hall, whence came the surname of the deceased, who thus in his name represented the two families of Willard and Hall.

Of his school and college life few incidents remain to us. It was one of hardship, marked by the determination and struggles of a lad, conscious of strong mental capacities, to develop them, with inadequate means and against difficulties and discouragements.

As the boy grew, the academy at Westford, established mainly through his grandfather's efforts, held out hope to his maturing aspirations after an education. Here he remained two years, with such proficiency and promise as to enlist on the part of his preceptor, Levi Hedge, an interest which ripened into a never-forgotten friendship. At thirteen years of age (in 1794) he was examined

and received into the Freshman class at Harvard University. But from some unexplained cause, most likely prompted by that abhorrence of the superficial which through life was one of his marked characteristics, he seems to have reconsidered his plan. He returned to the academy at Westford and spent another year in preparation for the university course. He entered the Freshman class in 1795, and graduated in 1799.

Among his contemporaries at college were Horace Binney, William Ellery Channing, Joseph Story, Washington Allston, and Lemuel Shaw, not to speak of many of less note.

After graduating at Harvard, in March, 1800, he took his place as a law student in the office of Mr. Dana, then a practicing lawyer at Groton.

Of his proficiency in legal study, and his full qualification for the profession of his choice, the sequel affords, perhaps, the most impressive evidence; but it may not be amiss to record the testimony of Judge Dana, in a remark made to his pupil many years afterward. Said he, "When you left my office, I had not a misgiving concerning you. I was as confident of your success as a farmer is of a crop from a well-cultivated field."

After a three-years' course of study in Mr. Dana's office, in March, 1803, he was admitted to the bar of Hillsborough County, New Hampshire.

We reach now, in this rapid sketch, what is the critical period of a young man's career,—his first assumption of the responsibilities of manhood. He must seek a sphere of professional life more congenial to his nature. But where to find it? The question was perplexing.

While revolving in his mind the uncertain future, there fell under his eye a speech of that elder James A. Bayard, then in Congress, in which he represented the bar of Delaware as of high moral position, and the practice as reasonably remunerative. To use his own expression in a casual conversation, years ago, "he slept upon that speech." In the morning his determination was reached, and following his decision with that promptness of action which marked his life, he addressed to Mr. Bayard a letter so characteristic of the man, and so expressive of his situation, prospects, and impulses at this interesting crisis, as to warrant its preservation. Under date of October 9, 1802, at Groton, he thus addressed Mr. Bayard,—

"SIR,—Perhaps I intrude upon moments devoted to better purposes. Perhaps to comply with my request would be a waste of your time and attention. If so, pardon the presumption which urges a distant stranger thus to address you, and bestow not upon him that consideration to which he pretends no claim.

"I was born in Westford, in the commonwealth of Massachusetts; was educated at Harvard University, in Cambridge, and am now reading law with Samuel Dana, Esq., a gentleman with us eminent in his profession, probably to you unknown. In this part of the country three years' uninterrupted study completes a law education. By this rule I shall finish mine in March next, and shall in that month be admitted to the bar in this county. In this part of the country there are too many lawyers in proportion to the law business. This disproportion has

occasioned many low practices (among some lawyers) in a profession which I expected was worthy of the esteem and respect of society. On this account I shall seek some quarter where the prospects of the profession are more promising than with us. From some observations made by you on the floor of Congress, I have been induced to wish a settlement in the State of Delaware. The circumstances, prospects and encouragements of the profession in that State are the objects of my inquiries. I would request you, sir, to give me some information relative to these points by sending me an answer to this letter. You will thus assist a man to set out in life and confer a favor which may cost you little trouble, but which may do me great service, and which a grateful mind shall never forget.

"This request is made on the score of universal philanthropy. Compliance will lay an obligation on one from whom there is small prospect of return, and can have no reward but the reflection that you have increased the happiness of a brother of the human race, and added one to the number of those who bless God for giving you existence.

"I am, sir, with respect, yours

"WILLARD HALL."

"The gentlemanly and favorable answer of Mr. Bayard,"—so afterwards wrote Judge Hall of this incident,—"induced me to make choice of this State for prosecuting my profession." Judge Hall, on one occasion, thus testified his own appreciation of Mr. Bayard's high character: "His was not," writes the judge, "a noisy fame; but no man's was more solid. Those who knew him held him in the highest estimation,—a man of elevated principle and commanding intellectual power." . . . "Of the bar of his State he was the pride, and most justly; he was an ornament of that of the nation."

Admitted to the bar in New Hampshire in March, 1803, with no delay he left his father's house in Westford, April 7th, and, travelling the whole distance on horseback, he reached Wilmington, Delaware, on the 16th of the same month. Finding Mr. Bayard absent from home, in attendance upon the court in Georgetown, he pursued his journey to that place, where he was admitted an attorney and counsellor of that court, and in the following month of May settled at Dover for the practice of his profession.

As a counsellor at the bar, he became distinguished for his legal learning, sound judgment, and such fidelity to a trust as made the client's interest all his own. In argument, his method was to grasp firmly the governing principles of the case in hand and to present them lucidly and forcibly, compelling conviction. He has been represented by the elder lawyers as being, on occasions, eloquent; yet few, if any, had less of the common arts of oratory. His eloquence was that of an earnest mind, itself possessed by overmastering convictions, which, when great interests were at stake, expressed themselves without art under the promptings of a refined and cultivated nature, and commanded, as he always sought to do, not so much the applause of his hearers as their assent. In all professional transactions he was singularly painstaking, conscientious in devoting his whole energy to any business, without measuring its importance, and for one trait especially distinguished, viz., a marvellous faculty of being always ready. It was once the remark of the late Chancellor Ridgely, made



111



Willard Hall

from the bench, that he had never called a cause of Willard Hall's in which the answer was, "not ready." In 1812 he was appointed Secretary of State under Governor Haslett, which office he held during the Governor's term of three years. Soon afterwards, in 1816, he was elected, together with Louis McLane, to represent this State in the Congress of the United States; and he was re-elected to the same station in 1818. Congressional life was distasteful to him; so, after two terms, he declined a further service in Congress, and returned to professional life. In 1821 he was again appointed Secretary of State under Governor Collins. In 1822 he was elected a member of the State Senate; and on the 6th day of May, 1823, on the decease of Judge Fisher, he was appointed by President Monroe District Judge of the United States for Delaware District. Soon after this appointment he removed to Wilmington, where he resided until his decease. He retired from the profession, as he has himself expressed it, "wearied with twenty years' labors and anxieties; toiling, as he had, harder for his clients than they would work for themselves; and feeling more deeply than they felt for their own interests." To him the appointment brought relief from a profession harassing to a sensitive temperament, with a congenial employment for the future, and much leisure for maturing those plans of larger usefulness which he had already begun to meditate. To the office, the appointment brought a judge combining in a rare degree all the requisites of learning, exalted purity, dignity and the public confidence.

He held the office of District Judge through the exceptionally long term of forty-eight years, retiring from it in December, 1871, in his ninety-first year, with faculties still unimpaired, except that bodily infirmity had disabled him from protracted labor. His judicial administration was eminently conservative. Though possessing an exquisite sense of justice, and ever anxious to bring into harmony the law and the right of the cause before him, yet he was never known to warp the rules of law, much less to be drawn into the error of judicial legislation. It will be quite safe to add that no act of his long judicial administration encountered criticism save one. That was the discharge by him, in the year 1866, under a writ of *habeas corpus*, of certain prisoners held at Fort Delaware by the military authorities of the United States, under a conviction and sentence by a military commission, upon a charge of murder committed in the State of South Carolina. The murder was charged to have been committed upon soldiers of the United States army while in service; and on that ground, although the prisoners charged with the murder were themselves not soldiers, but citizens (three of the State of South Carolina and one of Georgia), and although the civil authority

had been re-established and the courts were open, they were held to be answerable to the military power. They were tried by a military commission in South Carolina, convicted, and sentenced to death. The sentence was commuted by the President of the United States to imprisonment for life at the Tortugas, and they were sent by his order to Fort Jefferson, in Florida. Thence, under another order from the War Department, the prisoners were removed, in August, 1866, to Fort Delaware. While there, in custody, relief for them was sought by a writ of *habeas corpus*, bringing them before Judge Hall.

Probably never in the history of constitutional government has the judicial function been subjected to a more severe trial than under the exigencies growing out of the late Rebellion, one of the marked instances of which was the case brought before Judge Hall. No citizen more highly than he estimated the value of the Union, nor more loyally sustained the government by all his influence in the struggle for its preservation, nor more heartily rejoiced in its final and complete success. Nor could he, with indifference, find himself placed officially in conflict with his government, nor be insensible to the gravity of the question. "I feel," he says, in announcing his opinion, "the peculiar burden of it." But he could neither fail to see nor shrink from declaring, that under the Constitution, which was the supreme law of the land, the persons before him, being citizens,—not belonging to the army or navy of the United States,—could not be held under sentence of a military commission, but were amenable for their crimes only to the civil tribunals. The dangerous assumption that for an alleged offense against soldiers they should be themselves the judges, while the civil courts were open for redress, was but a cobweb to his legal discrimination. "This assumption," he says, "is neither logical nor legal. In so small a body comparatively as the army, so associated, and united with so much in common, there must be an *esprit de corps* that, in cases of collisions with citizens, will not allow us to expect impartial justice, while the broad ground of citizenship is liable to no such objection." He then proceeds, with his wonted perspicuity and force, though at the close of his eighty-sixth year, thus to set forth the origin, scope and value of those safeguards so anxiously provided by the Constitution for the protection of the citizen against illegal acts of power. "Our government," he declares, "is a government of law, both National and State. This is its distinctive character, the element of its freedom, constituting its excellence, and insuring its permanence. The fundamental principle, upon which rests the objection taken for the prisoners to the cause of detention set forth in the return in this case, has come down to us from remote

times, marking as noble the men who asserted it, and exalting in historic estimation the generations in which it has been maintained. With the general principles of freedom it specially had occupied the minds of the extraordinary men contemporaneous with the original settlement of these States, and in subsequent times to and immediately following our Revolution; it led to this Revolution, gave it its form and spirit, and inspired the institutions growing out of it. It was diligently studied, under instructive experience, and carefully framed and embodied in the organic laws of the States of the Union,—the conventions of the people, when adopting the Constitution, exacting as a condition that the explicit assertion of this principle should be added to the original draft and established as fundamental law. We read it as thus established: 'No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger;' . . . 'nor be deprived of life, liberty, or property, without due process of law.' 'In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State or district wherein the crime shall have been committed.' Such language, so used and sanctioned, cannot be a dead letter; such enactments must have force. They are where we find them, placed there with great deliberation, because the lights of experience had manifested that the people needed them for protection and safety." The enunciation of these principles—perhaps the most important within the range of constitutional law—was among the last acts, perhaps the last important act, of his judicial life; and, rightly considered, was its crowning glory. To the honor, be it added, of the Executive Department, it acquiesced in the authority of the Constitution judicially declared; and thus, so far at least as its action could go, it was shown that a great and powerful government, able to subdue armed rebellion against its just authority, could submit itself to the fundamental law which had created it and defined its powers.

The business of the District Court during Judge Hall's term of service was of limited amount. The draft from this source upon his attention was light, leaving him much leisure. But let it be noted that from his entrance upon the office until he was quite disabled by age, his leisure from judicial duty was devoted mainly to the service of the State in other fields of labor. To some of these we must now advert. In 1824, shortly after his appointment as judge, he was requested by the Legislature to revise and digest the statutes of the State. The work was completed in 1829, reducing six volumes to one octavo volume; and this so far

served the object proposed, that during the twenty-three years which elapsed before another revision was made, in 1852, it has been truly said that "not a difficulty in practice, nor a vexed question, nor a perplexity, was occasioned by the work." The Legislature, at its session in 1830, acknowledged the service by a vote of thanks to Judge Hall "for the very able and faithful manner in which he had acquitted himself of that important trust."

To another and perhaps higher trust he was called in the year 1831, by his election as a delegate from New Castle County in the convention convened to frame a new Constitution for the State. He received then a rare and impressive testimony of the universal confidence and high estimation of the people, in that for this, perhaps the highest of all political trusts, he was placed on the ticket of both parties and chosen without opposition. It was to the reconstruction of the judicial system that the labors of the convention were chiefly given; that being, in fact, the controlling purpose for which the convention had been called by the people. It should be noted as significant of the thorough and disinterested attachment of Judge Hall to the State, and of his abiding solicitude for the honor and prosperity of the bar, that, although now permanently separated from the profession and excluded from any part in the judicial system of the State, whatever it might be, he devoted his best powers to a subject so deeply involving the welfare of his former profession as well as of the people. "I feel upon this subject," he says, in his usually earnest manner, when first addressing the convention in relation to it, "more anxiety, probably, than upon any other worldly matter." He, together with some other professional delegates, supported what is known as the *one judge* system, vesting the whole judicial power of the State in three judges, one to reside in each county. His views were certainly maintained with ability and force; but the convention was not prepared for so great a transition as to accept three judges instead of nine, the former number. The present system of five judges was adopted. Few reported discussions upon constitutional questions will be found more interesting or instructive than those then elicited by this subject.

Judge Hall was the founder, the ever-watchful guardian of our system of free schools; the organizer and maturer of the present excellent system of public-school instruction in this city.

The policy of general primary instruction was first adopted in Delaware very early by the recognition of the principle in the Constitution of 1792 and the action of the Legislature of 1796 in setting apart certain revenues to be invested as a school fund.

In 1817, the fund having accumulated, an effort was made to apply it to the education of the poor

children through trustees in the counties. Few, however, of our people were found willing to have their children schooled as paupers and the attempt failed, as it should have done.

The failure of this first effort to deal with a new and perplexing subject produced discouragement, which continued until Judge Hall, having again become Secretary of State in 1822, took up the interest of popular education in this State with a grasp which relaxed only, after fifty years of labor, under the infirmities of great age. He matured, and the Governor, in a message, with great force of reason presented, what in principle and outline became and still remains the school system of this State. The counties were divided into school districts and the voters were authorized to establish and maintain free schools, and a distribution of a share of the income of the school fund was conditioned upon the raising in the district of a sum adequate with the dividend from the school fund to maintain a school. The school law of 1829 was prepared by Judge Hall at the request of the Legislature.

In 1852 a separate school system, under the charge of a Board of Education, was established in Wilmington, which had theretofore comprised ten districts under the original school law of 1829. Judge Hall took an active part in the discussion of that period, insisting that a liberal education at the public expense should be extended to all who might desire it. His wise and liberal views prevailed, though against much difference of opinion, and the act of 1852 was framed with the approval of the people in town-meeting.

Through all the wonderful growth and expansion of the system thus inaugurated Judge Hall's interest never flagged until his enforced retirement, by reason of his infirmities of age, from active service in connection with it. On the evening of the 28th of March, 1870, he met, for the last time, the Board of Education, over which he had presided since its organization, in 1852. He then announced in few words the necessity, through age, of his retirement; received from the Board, by a unanimous, rising vote, its testimony, given "in the name of the people of the city of Wilmington," to "his untiring, faithful, and efficient service in the cause of education in the State of Delaware and in the city of Wilmington;" and thus, with the simplicity and unostentation so characteristic of his whole life, he closed the long record of his forty-eight years of service to the educational interests of this State, commencing, as we have seen, while he was Secretary of State, in 1822.

To the Delaware State Bible Society Judge Hall gave forty-eight years,—we do not say of membership, but of service,—being thirty years its president. During all these years he carried its

interests in his mind and on his heart; met once a year, in one part of the State and in another, a few kindred spirits; set before them in an annual report the operations of the society, the claims upon it and its resources; suggested methods of work; held high the standard of duty, and encouraged to renewed effort. In all those thirty years the society never met without him save once, when he was detained at home by sickness; and then, so missed by his associates was the accustomed presence and guidance, that their sense of his absence was expressed upon the record of the meeting.

A marked example, sufficiently illustrative of the breadth of his philanthropy, was his long and active connection with the Wilmington Savings-Fund Society, as its president, from its organization in 1832 until he was disabled from this service by great age.

The Delaware Historical Society was probably the very latest social institution with which Judge Hall connected himself, being then in his eighty-fourth year, far beyond the limit at which ordinary men are held discharged from public service. But, at the organization of this society, he (together with Mr. Rogers, of New Castle) alone survived to connect the present generation with the public men of our early State history; and more for the eminent fitness of his association with the objects of the society than to add, at his advanced age, to the list of his life-long labors for the public, his connection with the society as its president was earnestly desired.

He readily acquiesced in the desire of the society; and for his remaining years gave to it the prestige of his revered name, the help of his influence, and, until disabled by failing health, the encouragement of his presence.

He became a member of Hanover Street Presbyterian Church, March 8, 1827. Soon after, September 23, 1829, he was elected a ruling elder, the office most influential and responsible after that of the pastor. This office he held until his death. He was once, if not oftener, a delegate to the General Assembly of the Presbyterian Church.

Always and with scrupulous punctuality, he was present in the Sabbath assemblies for public worship, the week-day meetings for religious exercise, the sessions of the elders and the Sabbath-school. In the latter he taught a succession of Bible classes through the long period of over forty years.

A notable feature of Judge Hall's life was his readiness to give his support by his character and influence to measures and instrumentalities of social improvement at times when they required the benefit of his advice or the influence of his commanding position in the community. The character and scope of these efforts may be well illus-

trated by the occasions of many of his public addresses. Before a school for apprentices he delivered a lecture designed to impress apprentice boys with the value and efficiency of self-help. In the Delaware Academy of Natural Sciences he made an address exhibiting, with all his wonted force and learning, the incalculable benefits of science to the interests of daily life. Before the literary societies of Delaware College he illustrated his ceaseless flow of sympathy for young men in the pursuit of an education.

His interest in the great moral questions that from time to time agitated society was indicated by a pamphlet against lotteries issued in 1846, his "appeal for the Sabbath, addressed to the legal profession," read before a convention in Baltimore in 1844, his continuing interest in the temperance cause, and his scheme of African colonization, which he supported from conviction, being for many years president of the Colonization Society of this State. After a contrary solution of the vexed question concerning the negro population of this country had been evolved, he took an active part in the establishment and management of the Delaware Society for the Education of the Colored People.

In person he was rather below the average stature, slightly built, with naturally a quick, active movement, indicative of purpose,—of some great purpose in life,—which, if not always before his mind, was ever present as an inspiration. His countenance was strongly expressive both of intelligence and benignity. His whole aspect has been, for a generation or more, exceptionally venerable, such that one could not pass him without a conscious sentiment of reverence. In demeanor, he was at once grave and cheerful, equally removed from austerity and levity,—a happy balance, not frequent nor easy to be maintained.

In the winter of his ninetieth year, the rapid decay of his physical powers, connected with a disordered and sometimes distressing condition of health, withdrew him from all activity; and it was only left him, that having so long and faithfully discharged the active duties of life, he should now for the few remaining years exemplify, as indeed well he did, its passive virtues. With varying conditions of health, but steady decline of strength, he lingered through several years, awaiting with patient submission his expected change,—the end of his toils and suffering, the fruition of his hopes, the great reward of his faith and devotion. The change came to him on the evening of the 10th of May, 1875, as gently as sleep comes to an infant.

Hon. Edward Green Bradford, late judge of the United States District Court for Delaware, was born at Bohemia Manor, Cecil County, Maryland, July 17, 1819. He came of old Puritan stock, and was the lineal descendant in the seventh gen-

eration of William Bradford, the second Governor of Plymouth Colony, and also a near relative of the late Dr. Ashbel Green, president of Princeton College.

His father was a native of Massachusetts, coming to Wilmington from Maryland in the early part of the present century and was the editor for a number of years of the *Delaware Gazette*, at that time the organ of the Federal party. He was a man of scholarly attainments and sterling character. His mother was Phoebe George, and was descended from a wealthy and influential family, which emigrated from Ireland about 1720, and located on Bohemia Manor, where they become possessed of large tracts of land. Judge Bradford's parents removed to Wilmington soon after his birth, and he spent the remainder of his life in his adopted city. His early education was obtained in the Wilmington schools and Bristol College, Philadelphia, and he completed his education at Delaware College, from which he graduated September 28, 1839. The following year he commenced his legal studies under the direction of Chief Justice Gilpin, at that time a practicing lawyer of eminence. He completed his studies and was admitted to the bar at Georgetown, Sussex County, April 11, 1842. He was at once appointed deputy attorney-general by his preceptor, who was then attorney-general. This position he held until the end of Judge Gilpin's second term, in 1850. Such was the confidence reposed in his judgment and ability that in a short time by far the larger portion of the business of the office was entrusted to his sole management. The experience gained in this position was of great value, giving him an intimate knowledge of criminal law, a familiarity with the practice of the courts and a readiness and skill in the trial of cases. Naturally fluent of speech, endowed with acute perceptive faculties and possessed of a vivid imagination, he was always an attractive speaker and rarely failed to enlist the attention of court and jury. He maintained a high position while at the bar, having the confidence of the court, the respect of his brother lawyers, and was esteemed by the public as one whose professional and personal character was without reproach. Impatient of the drudgery of office work he was more enthusiastic in the study of purely legal questions in the preparation of his arguments, and appeared to the best advantage in the actual forensic.

While yet a law student he began his political life by making speeches in the campaign of 1840, advocating the election of Harrison and Tyler. In 1849 he was a Representative from New Castle County in the Legislature, and during the ascendancy of the Whig party in this State was offered the nomination as Representative in Congress, but declined the honor. In 1861 he was appointed

United States district attorney for Delaware by President Lincoln, and was re-appointed by President Johnson July 22, 1865, but resigned the office the next year for the reason of his inability to approve of the President's policy. On the 12th of December, 1871, he was appointed, by President Grant, judge of the United States District Court, for Delaware, an honor richly merited by his efficiency as a lawyer, and his irreproachable personal character. He was also City Solicitor of Wilmington and for thirty years a director of the Farmers' Bank, and a long time a vestryman of Trinity Church. Of his political career a gentleman said of him: "There were four epochs in the life of Mr. Bradford, one of them was when he, with Edward Betts and other of the younger men of the Whig party, dared to differ openly with Mr. Clayton, the second was the organization of the Republican party in Delaware, which resulted in 1856, in three hundred votes for Fremont and is expressive not only of his courage, but of his clearness in perceiving the real issues which seemed radical and extreme, were so soon to become the standing place of a vast majority of the people of the free States; five years later when the test of secession or union sifted all, his course was again brave, open and patriotic. He was unflinchingly faithful to the unity of his country and uncompromisingly hostile to the effort of disruption, resolute in his denunciation of the treason of the time, and eloquent in his appeals for the forces that symbolized liberty and union; again, five years later in the reconstruction period, his course was straightforward and courageous, and in behalf of impartial suffrage he was an ardent advocate and he did not stop to debate whether the republic dared be trusted with the free franchise of all the American people, but stood for the justice of equal political rights and against the injustice of disfranchising a citizen on account of color."

His judicial career was highly creditable though uneventful. The business of the United States courts was greatly increased after he went to the bench, and many important cases involving large interests were brought before him. The opinions delivered by him on disputed questions of law were carefully and ably prepared, and there was no unnecessary delay in the disposition of cases. The last year of his life was one of ill health and his strength was not always equal to the demand of business, and finally he abandoned it entirely and passed away peacefully January 16, 1884.

Leonard Eugene Wales, district judge of the United States for the District of Delaware, was born November 26, 1823. He was descended from a long line of New England ancestors, going back to the first colonists. He was a third child of the Hon. John Wales and Ann, the daughter of Major John Patten. Of his father and mater-

nal grandfather sketches appear elsewhere in this work, containing the genealogy of the family.

Judge Wales' academic education was completed at Hopkins' Grammar School in New Haven, Connecticut, from which he entered the freshman class in Yale College and graduated from that institution in the class of 1845. He studied law under the direction of his father in Wilmington, and on the 8th of May, 1848, was admitted to the bar in New Castle County and commenced the practice of the law in Wilmington. For two years he was associated with the late John A. Allderdice in the editorial control of the *Delaware State Journal*, then the organ of the Whig Party in the State. For several years he was clerk of the United States Courts for this district, and in July, 1853, was elected City Solicitor, to which office he was re-elected in the following year. In April 1861, he enlisted in Company E, First Regiment Delaware Volunteers, for three months and was chosen second lieutenant. The services of this regiment consisted entirely of guard duty along the line of the Philadelphia, Wilmington and Baltimore Railroad, where it was apprehended that efforts might be made by the rebels to burn the bridges and cut off the direct communication between Washington and the North. At the end of his term of service, Lieutenant Wales was honorably mustered out. In May, 1863, he was appointed Commissioner of Enrolment for Delaware to superintend the draft then made necessary to fill the ranks of the Union armies. The duties of this post were arduous and not at all times agreeable, involving the exercise of much discretion and often of decision, but they were performed with fidelity and efficiency. While yet engaged in the duties of this office, Mr. Wales was appointed by Governor Cannon, October 1, 1864, associate judge of Delaware for New Castle County, to fill the vacancy caused by the resignation of Judge Milligan. He continued to perform the duties of this office with great acceptability, both to the profession and to the people of the State, until after the death of Judge Bradford, he was appointed by President Arthur United States district judge for the District of Delaware, his commission being dated March 20, 1884. That office he still holds and performs its responsible duties with the utmost fidelity and with great ability.

During the temporary disability of Judge Nixon of the New Jersey District, Judge Wales has been assigned to hold the United States Courts in that State, and has carried the burden of the very large business of that District without in the least interfering with the prompt and regular fulfilment of all his engagements at home.

In the administration of the judicial office Judge Wales is distinguished for a patience and courtesy which finds constant and grateful recognition from

the members of the bar. He is painstaking in his attention to the smaller as well as the larger duties of his office. His judgments are well considered; his opinions thorough in their examination both of law and facts, and are delivered with that decision born of confidence in the result of his examination of a case which is so necessary to the successful administration of the judicial office.

In politics Judge Wales was originally a Whig, but has been a member of the Republican party since its organization in Delaware in 1856. During his judicial life, however, he has not participated in political or party contests. He is a member of the Presbyterian Church, and has always been keenly alive to the general interests of society, taking an active interest in many public enterprises. In the Historical Society of Delaware he has always been a leading spirit, and was in 1879 elected President of that body, and has since that time been annually re-elected. He has also taken a very keen and active interest in the establishment of the Ferris Reform School and is a member of the board of trustees of that institution. The judge is a bachelor, and lives with his sister in an old-fashioned house in Wilmington, which was formerly the mansion-house of the old Lovering farm, now constituting one of the most attractive and well-built portions of the City of Washington.

Chief Justices¹

Of the Three Lower Counties.

| | |
|----------------------------------|------------------|
| William Clarke..... | 1684 |
| Jasper Yeates..... | December 3, 1707 |
| John Healey..... | April 11, 1710 |
| Richard Birmingham..... | March 10, 1714 |
| Jasper Yeates..... | August 1, 1717 |
| Col. John French..... | July 25, 1726 |
| David Evans..... | April 20, 1727 |
| Dr. Samuel Chow (died 1743)..... | 1741 |
| William Till..... | 1743 |
| Ryves Holt..... | October 26, 1745 |
| John Vining..... | October 30, 1764 |
| Richard McWilliams..... | October 30, 1773 |

Chief Justices of Delaware.

| | |
|---------------------|---------------|
| William Killen..... | July 17, 1777 |
|---------------------|---------------|

Under Constitution of 1792.

| | |
|---|--------------------|
| Richard Bassett..... | September 6, 1793 |
| George Read..... | September 30, 1793 |
| Kensley Johns..... | January 3, 1799 |
| James Booth..... | January 28, 1799 |
| Thomas Clayton..... | February 8, 1828 |
| George B. Rodney..... | October 11, 1830 |
| Samuel M. Harrington ² | October 16, 1830 |

Under the Constitution of 1831.

| | |
|---------------------------|--------------------|
| Thomas Clayton..... | January 18, 1832 |
| John M. Clayton..... | January 16, 1837 |
| Richard H. Bayard..... | September 19, 1839 |
| James Booth..... | March 12, 1841 |
| Samuel M. Harrington..... | April 3, 1855 |
| Edward W. Gilpin..... | May 6, 1857 |
| Joseph P. Conesga..... | May 18, 1876 |

¹ The act creating a chief justice for the three lower counties was passed by the General Assembly during the term of Governor Patrick Gordon, 1726-30, (the exact date is not known.) Prior to this act the senior justice was president of the court.

² Both George B. Rodney and Samuel M. Harrington were appointed to the office of chief justice upon the respective dates given above, but declined to accept the commission.

Associate Justices

Of the Three Lower Counties.

| | |
|---|------------------------------|
| John Simecock..... | November 21, 1690 |
| Arthur Cooke..... | November 21, 1690 |
| Griffith Jones..... | November 21, 1690 |
| Edward Blake..... | November 21, 1690 |
| Richard Halliwell..... | November 21, 1690 |
| William Rodney..... | December 3, 1707 |
| Jonathan Bailey..... | April 11, 1710 |
| Thomas Bedwell..... | April 11, 1710 |
| Barclay Codd..... | April 11, 1710 |
| Richard Birmingham..... | October 3, 1713 |
| James Walker..... | October 3, 1713 |
| Isaac Goodlin..... | March 1 st , 1714 |
| Joseph England..... | March 10, 1714 |
| John Brewster..... | March 10, 1714 |
| Joseph Wood..... | March 1, 1715 |
| John Brinckloe..... | March 1, 1715 |
| James Steele..... | March 1, 1715 |
| Barclay Codd..... | March 1, 1715 |
| Jonathan Bailey..... | March 1, 1715 |
| Richard Halliwell..... | April 18, 1716 |
| John Healey..... | April 2, 1717 |
| William Brinckloe..... | April 2, 1717 |
| Timothy Hanson..... | April 2, 1717 |
| Joseph Wood..... | August 1, 1717 |
| John Brinckloe..... | August 1, 1717 |
| James Steele..... | August 1, 1717 |
| Richard Hinman..... | August 1, 1717 |
| John French..... | March 9, 1723 |
| Samuel Lowman..... | March 9, 1723 |
| James Steele..... | March 9, 1723 |
| Benjamin Shurmer..... | March 9, 1723 |
| Jeremiah Bailey..... | March 9, 1723 |
| Barclay Codd..... | March 9, 1723 |
| Robert Gordon..... | July 25, 1726 |
| Henry Brooke..... | July 25, 1726 |
| Jonathan Bailey..... | July 25, 1726 |
| Richard Grolton..... | April 20, 1727 |
| David Evans..... | September 8, 1727 |
| Nicholas Ridgely..... | 1728 |
| John Curtis, second justice..... | April 5, 1743 |
| Nicholas Ridgely, third justice..... | April 5, 1743 |
| William Till, second justice..... | July 7, 1756 |
| John Vining, third justice..... | July 7, 1756 |
| Jacob Von Beeber, fourth justice..... | October 10, 1760 |
| Jacob Von Beeber, second justice..... | October 30, 1764 |
| Richard McWilliams, third justice..... | October 30, 1764 |
| John Clowes, fourth justice..... | October 30, 1764 |
| David Hall, fourth justice..... | June 16, 1767 |
| Richard McWilliams, second justice..... | May 4, 1769 |
| Cesar Rodney, third justice..... | May 4, 1769 |
| Cesar Rodney, second justice..... | October 30, 1773 |
| Samuel Chow, third justice..... | October 30, 1773 |
| David Hall, fourth justice..... | November 3, 1773 |

Associate Justices of Delaware State.

| | |
|-----------------------------------|------------------|
| John Evans, second justice..... | July 17, 1777 |
| John Cook, third justice..... | July 17, 1777 |
| David Finney, second justice..... | January 27, 1778 |
| John Jones, third justice..... | January 27, 1778 |

Under Constitution of 1792.

| | |
|------------------------|--------------------|
| Thomas Macdonough..... | September 6, 1793 |
| Daniel Rodney..... | September 6, 1793 |
| John Clayton..... | September 16, 1793 |
| Peter Robinson..... | September 30, 1793 |
| Kensley Johns..... | April 16, 1796 |
| Andrew Barratt..... | January 23, 1799 |
| Richard Cooper..... | May 11, 1801 |
| Thomas Laws..... | April 9, 1806 |
| William Warner..... | November 13, 1809 |
| David Hall..... | March 5, 1813 |
| Isaac Davis..... | January 7, 1814 |
| John Way..... | January 7, 1814 |
| William B. Cooper..... | September 28, 1817 |
| Daniel Rodney..... | September 26, 1817 |
| Thomas Cooper..... | October 9, 1817 |
| Samuel Paynter..... | February 24, 1818 |
| Kendall Bateson..... | October 6, 1820 |
| Jacob Stout..... | January 21, 1822 |
| John Way..... | January 16, 1827 |
| Edward Dingle..... | October 6, 1827 |

Under Constitution of 1831.

| | |
|---------------------------|------------------|
| James R. Black..... | January 18, 1832 |
| Samuel M. Harrington..... | January 18, 1832 |
| Peter Robinson..... | January 18, 1832 |

| | |
|-----------------------------------|--------------------|
| Caleb S. Layton..... | June 3, 1836 |
| John J. Millington..... | September 19, 1839 |
| David Hazard..... | December 10, 1844 |
| Edward Wooten..... | September 6, 1847 |
| Joseph P. Comegys (declined)..... | April 4, 1856 |
| John W. Houston..... | May 4, 1856 |
| Leonard E. Wales..... | September 2, 1864 |
| William G. Whitely..... | March 31, 1884 |
| Ignatius C. Grubb..... | May 25, 1886 |
| John H. Paynter..... | March 25, 1887 |

Chancellors.*Under Constitution of 1792.*

| | |
|-----------------------|----------------|
| William Killen..... | October, 1793 |
| Nicholas Ridgely..... | December, 1801 |
| Kenney Johns, Sr..... | June 21, 1830 |

Under Constitution of 1831.

| | |
|---------------------------|-------------------|
| Kenney Johns, Jr..... | January 18, 1832 |
| Samuel M. Harrington..... | May 4, 1837 |
| Daniel Moore Bates..... | December 12, 1865 |
| Willard Saulebury..... | November 14, 1873 |

Justices for the trial of negroes.—Commissions were issued from time to time to persons to act as judges for the trial of negroes. The following are on record :

Sumner County.

| | |
|---------------------|---------------|
| William Till..... | July 25, 1726 |
| Philip Russell..... | July 25, 1726 |

New Castle County.

| | |
|-------------------|------------------|
| Evans Rice..... | January 26, 1771 |
| David Finney..... | January 26, 1771 |
| John Jones..... | December 9, 1775 |
| David Finney..... | December 9, 1775 |

Kent County.

| | |
|----------------------|------------------|
| Nehemiah Tilton..... | November 1, 1782 |
| Benjamin Caton..... | November 1, 1782 |
| Nehemiah Tilton..... | October 6, 1786 |
| Thomas Nixon..... | October 6, 1786 |

A Court of Common Pleas and Orphans' Court was established in each county under the Constitution of 1776, which continued until the Constitution of 1792 was adopted, when it was abolished.

The following is a list of justices who served during that time:

Justices Court of Common Pleas and Orphans' Court.*New Castle County.*

| | |
|--|-------------------|
| John Jones, chief justice..... | 1777 |
| James Latimer, second justice..... | 1777 |
| John Thompson, third justice..... | 1777 |
| Abraham Robinson, fourth justice..... | 1777 |
| James Latimer, chief justice..... | February 10, 1781 |
| John Thompson, second justice..... | February 10, 1781 |
| Abraham Robinson, third justice..... | February 10, 1781 |
| Richard Cantwell, fourth justice..... | February 10, 1781 |
| Thomas Macdonough, third justice..... | February 2, 1788 |
| Thomas Robinson, fourth justice..... | February 2, 1788 |
| Thomas Macdonough, second justice..... | January 22, 1791 |
| Thomas Robinson, third justice..... | January 22, 1791 |
| Alexander Porter, fourth justice..... | January 22, 1791 |

Kent County.

| | |
|---------------------------------------|-------------------|
| Thomas Tilton..... | April 5, 1777 |
| John Clarke..... | April 5, 1777 |
| Richard Smith..... | April 5, 1777 |
| Thomas White..... | April 5, 1777 |
| Thomas Rodney, chief justice..... | June 20, 1778 |
| John Clarke, chief justice..... | February 6, 1779 |
| Richard Lockwood, second justice..... | October 22, 1779 |
| Thomas Collins, chief justice..... | June 18, 1782 |
| Richard Smith, second justice..... | June 24, 1786 |
| Thomas White, third justice..... | June 24, 1786 |
| James Bellach, fourth justice..... | June 24, 1786 |
| John Clayton, fourth justice..... | February 15, 1788 |
| Thomas White, chief justice..... | January 24, 1790 |
| James Bellach, second justice..... | February 5, 1790 |
| John Clayton, third justice..... | February 5, 1790 |
| John Davis, fourth justice..... | February 5, 1790 |

¹ John J. Milligan was appointed chancellor, May 26, 1830, and Henry M. Ridgely was appointed June 18, 1830, and both declined.

Sumner County.

| | |
|--------------------------------------|-------------------|
| John Wiltbank, chief justice..... | 1777 |
| William Polk, second justice..... | 1777 |
| John Laws, third justice..... | 1777 |
| Isaac Smith, fourth justice..... | 1777 |
| John Clowes, fourth justice..... | February 10, 1781 |
| John Clowes, third justice..... | June 10, 1788 |
| Alexander Laws, fourth justice..... | June 10, 1788 |
| John Clowes, second justice..... | October 24, 1788 |
| Alexander Laws, third justice..... | October 24, 1788 |
| Peter T. Wright, fourth justice..... | October 24, 1788 |
| Peter Robinson, second justice..... | February 1, 1792 |
| Charles Polk, third justice..... | February 1, 1792 |
| Isaac Cooper, fourth justice..... | February 1, 1792 |

Justices Court of Quarter Sessions.*Kent County.*

| | |
|---------------------------------|----------------|
| Charles Ridgely, president..... | July 18, 1785 |
| Nehemiah Tilton, president..... | April 12, 1786 |

Attorneys admitted to practice in the State.*New Castle County.*

| | |
|--|-------------------|
| Dr. Thomas Spry ¹ | November 7, 1676 |
| John Matthews..... | June 16, 1677 |
| John Adams..... | January 2, 1677 |
| Alex. Henry Keith ² (son of Gov. Keith)..... | 1730 |
| James Keating..... | 1734 |
| John Robinson ³ | 1734 |
| George Read ⁴ | 1753 |
| John Dickinson ⁵ | 1753 |
| Thomas McKean, ⁶ admitted in Sumner County..... | November, 1754 |
| Nicholas Van Dyke ⁷ | August, 1765 |
| Elsha Price ⁸ | 1765 |
| Alex. Porter, Jr. ⁹ | 1765 |
| David Thomson..... | 1765 |
| John Lawrence ¹⁰ | February 11, 1773 |
| Alexander Montgomery..... | February 11, 1773 |
| Samuel Tobius..... | February 11, 1773 |
| David Hall..... | August 18, 1773 |
| Andrew Bryon..... | November 16, 1774 |
| Richard Howell..... | November 17, 1774 |
| Siator Clay ¹¹ | May 22, 1777 |
| William Moore Smith..... | February 21, 1782 |
| John Vining..... | February 21, 1782 |
| John Van Luivling..... | May, 1782 |
| Kenney Johns..... | February, 1783 |
| Nicholas Hammond..... | |
| John O'Connor..... | November 21, 1783 |
| Benj. Harrison..... | November 22, 1783 |
| Rom Thompson..... | November 22, 1783 |
| William Montgomery..... | May 20, 1784 |
| Dyre Kearney..... | May 21, 1784 |
| Robert Milligan..... | November 20, 1784 |
| William Cannon..... | November 20, 1784 |
| Joshua Fisher..... | February 24, 1785 |
| Hugh Mathews..... | February 25, 1785 |
| George Read, Jr..... | May 19, 1785 |
| Matthew Pearce..... | August 18, 1785 |
| Joseph Anderson..... | November 24, 1785 |
| Thomas Memminger..... | February 22, 1787 |
| Thomas Anderson..... | May 25, 1787 |
| Samuel Roberts..... | August, 1787 |
| James A. Bayard..... | August, 1787 |
| Nicholas Ridgely..... | August, 1787 |
| Davidson David..... | August, 1788 |
| William Graham..... | August, 1788 |
| Thomas Ross..... | August, 1788 |
| Thomas Duff, Jr..... | April, 1791 |
| Robert Henry Duncan..... | August, 1791 |
| John Read, Jr..... | August, 1791 |
| Nicholas Van Dyke..... | April, 1792 |
| Thomas Bellach..... | May, 1793 |
| Thomas McK. Thompson..... | December, 1793 |
| Joseph Miller..... | |

² An order of Council of New York, May 16, 1677, forbids attorneys to practice.

³ Admitted in Philadelphia, but resident in New Castle County.

⁴ Prior to 1792 a practice of two years in the lower courts was necessary before admission in the Superior Court. This fact accounts for disagreement of dates in some cases, and in which both dates are right.

⁵ The following record is of interest and shows the form of oath taken by attorneys at that time. May 22, 1777, Mr. Siator Clay upon application to this court is admitted as an attorney-at-law of said court within this county and took the oath prescribed by law accordingly,—

"I, Siator Clay, will bear true allegiance to the Delaware State, submit to its Constitutions and Laws and do no Act wittingly, whereby the Freedom thereof may be prejudiced."

| | |
|---|-------------------|
| John Partridge..... | December, 1793 |
| Gunning Bedford..... | December, 1793 |
| Cesar Augustus Rodney..... | 1793 |
| Richard L. Carnack..... | May, 1794 |
| Washington Lee Finney..... | April, 1796 |
| William Allen Thompson..... | May, 1800 |
| Nicholas Williamson..... | December 23, 1800 |
| Samuel Smith Harrison..... | April, 1800 |
| William Allen Thompson..... | April, 1800 |
| William Clark Frazer..... | April, 1801 |
| Benjamin Gibbs..... | April, 1801 |
| James M. Broom..... | |
| Alexander Reynolds..... | April, 1803 |
| Caleb G. Massey..... | April, 1803 |
| William Bayard Shields..... | April, 1803 |
| James Rogers..... | April, 1803 |
| James B. Reynolds..... | April, 1803 |
| Kenney Harrison..... | May, 1804 |
| Fisher A. Blockson..... | April, 1805 |
| Joseph A. Lloyd..... | October, 1805 |
| George Strawbridge..... | October, 1805 |
| James B. Black..... | November, 1806 |
| Louis McLane..... | December, 1807 |
| Abraham Van Dyke..... | December, 1807 |
| John Barratt..... | December, 1807 |
| Outerbridge Horsey..... | December, 1807 |
| George Read, the younger..... | November, 1808 |
| Charles M. Anderson..... | April, 1809 |
| Nicholas G. Williamson..... | |
| Archibald Hamilton..... | |
| William P. Brobson..... | May, 1810 |
| James Booth, Jr..... | April, 1812 |
| Henry G. Freeman..... | April, 1812 |
| John Davis..... | April, 1812 |
| Ebenezer Wright..... | November, 1812 |
| Charles Thomas, Jr..... | May, 1813 |
| John Wales ¹ (Common Pleas)..... | June, 1813 |
| William T. Read..... | November, 1813 |
| Kenney Johns, Jr..... | November, 1813 |
| Thomas M. Read..... | November, 1813 |
| Arthur Middleton..... | December, 1817 |
| Samuel Guthrie..... | December, 1817 |
| Richard H. Bayard..... | December, 1818 |
| John J. Milligan..... | December, 1818 |
| Kenney J. Van Dyke..... | December, 1819 |
| Alex. S. Read..... | October, 1820 |
| Joseph Sewell Gibbs..... | April, 1821 |
| James A. Bayard, Jr..... | April, 1822 |
| James Davis..... | April, 1822 |
| Samuel S. Grubb..... | October, 1826 |
| James Latimer, Jr..... | October, 1826 |
| Andrew C. Gray..... | March, 1826 |
| Charles T. Grubb..... | March, 1826 |
| John D. Read..... | March, 1826 |
| Edward W. Gilpin..... | October, 1827 |
| Edward E. Warrington..... | October, 1827 |
| Alex. H. Hamilton..... | October, 1827 |
| Thomas Collins Stevenson..... | October, 1827 |
| Alexander Macbeth..... | March, 1829 |
| Thomas Janvier..... | December, 1829 |
| Edward Wootten..... | December, 1829 |
| Levi T. Morris..... | December, 1829 |
| Joseph M. Patton..... | December, 1829 |
| George W. Gardner..... | December, 1831 |
| St. George Tucker Campbell..... | May 23, 1839 |
| Charles Ingersoll..... | May 23, 1839 |
| William Janvier..... | May 6, 1844 |
| J. Caulk..... | November 29, 1844 |
| Daniel R. Wolfe..... | November 19, 1845 |
| Alexander T. Gray..... | November 26, 1845 |
| James A. Bayard..... | November 28, 1845 |
| George C. Gordon..... | May 10, 1847 |
| Joseph M. Barr..... | May 10, 1847 |
| George B. Milligan..... | November, 1847 |
| Leonard E. Wales..... | May 8, 1848 |
| John A. Alderice..... | May 8, 1848 |
| Hugh G. Platt..... | May 17, 1848 |
| Victor Du Pont..... | November, 1849 |
| Thomas F. Bayard..... | November, 1851 |
| Enoch Joyce Smithers..... | November, 1851 |
| James M. Johns..... | November, 1851 |
| James B. Booth..... | May, 1852 |
| Hanson Harmon..... | May, 1855 |
| William S. McCauley..... | November, 1853 |
| James Thomas Holes..... | November, 1853 |
| William Corbett Spruance..... | November, 1855 |
| Henry A. Gerry..... | May 1857 |

| | |
|--------------------------------|--------------------|
| George Plunkett..... | May, 1857 |
| Joseph T. Brobson..... | May, 1857 |
| Richard G. Cooper..... | November, 1858 |
| William Frederick Causey..... | May, 1859 |
| Joshua Maris..... | May, 1859 |
| William O. Daniel..... | May, 1859 |
| William H. Cleaden..... | May, 1859 |
| William D. Dowe..... | November, 1859 |
| Joshua L. Simms..... | November, 1859 |
| Samuel G. Logan..... | November, 1859 |
| Charles E. La Motte..... | May, 1861 |
| Charles B. Love..... | November, 1861 |
| Samuel M. Harrington, Jr..... | November, 1861 |
| John R. Lambson..... | November, 1862 |
| Ignatius C. Grubb..... | |
| John H. Rodney..... | |
| George Gray..... | May 12, 1863 |
| William E. Dunning..... | May 21, 1863 |
| Horace C. Biddle..... | November, 1863 |
| Bayland Robert Pennington..... | November, 1863 |
| Anthony Higgins..... | May, 1864 |
| James R. Mitchell..... | November, 1864 |
| Thomas Holcomb..... | November, 1864 |
| Levi C. Bird..... | May, 1865 |
| Augustus P. Hascall..... | May, 1865 |
| Viktor Green..... | November, 1865 |
| John O'Hyrne..... | November, 1865 |
| Charles G. Rumford..... | November 7, 1866 |
| S. Rodmond Smith..... | November 7, 1866 |
| Alexander B. Cooper..... | May 6, 1867 |
| Evan Watson..... | November, 1869 |
| Edward G. Bradford..... | May 9, 1870 |
| Robert C. Fraim..... | May 9, 1870 |
| William R. Hodgson..... | November 21, 1870 |
| William S. Frist..... | November 21, 1870 |
| Henry R. Du Pont..... | May 15, 1871 |
| John M. Williamson..... | May 15, 1871 |
| Walter Cummins..... | May 13, 1872 |
| John P. B. Polk..... | November 25, 1872 |
| Samuel A. Macallister..... | November 25, 1872 |
| Clarence E. Silver..... | November 26, 1872 |
| Henry Pepper..... | November 24, 1873 |
| James H. Hoffecker, Jr..... | November 24, 1873 |
| Henry C. Conrad..... | November 23, 1874 |
| Joseph A. Richardson..... | November 24, 1874 |
| Henry C. Turner..... | May 24, 1875 |
| John V. Rice..... | May 24, 1875 |
| Edward J. Kennard..... | December 4, 1876 |
| Clifford James..... | December 4, 1876 |
| John H. Frazier..... | December 4, 1876 |
| James L. Vollandigham..... | December 4, 1876 |
| J. Ernest Smith..... | May 14, 1877 |
| Austin Harrington..... | May 14, 1877 |
| Edward H. McCullough..... | May 14, 1877 |
| Charles W. Whitley, Jr..... | May 24, 1877 |
| John Wales Bissell..... | November 26, 1877 |
| Samuel W. McCauley..... | November 29, 1878 |
| Harry Emmons..... | November 30, 1878 |
| Henry E. Healer..... | November 30, 1878 |
| Eli H. Chandler..... | December 2, 1878 |
| Charles Beusten, Jr..... | May 19, 1879 |
| Francis X. Messick..... | May 19, 1879 |
| Harry Sharpley..... | December 4, 1876 |
| James F. Ball..... | November 24, 1879 |
| John Biggs..... | December 1, 1879 |
| Lewis C. Vandegrift..... | December 8, 1879 |
| William T. Lynam..... | November 22, 1880 |
| William J. Black..... | November 22, 1880 |
| Walter Bacon..... | May 16, 1881 |
| George A. Elliott..... | May, 1881 |
| Walter H. Hayes..... | September 19, 1881 |
| Charles I. Du Pont..... | September 19, 1881 |
| Charles Reynolds, Jr..... | November 28, 1881 |
| Daniel H. Foster..... | November 28, 1881 |
| Tilghman Johnston..... | November 28, 1881 |
| John K. Bradford..... | May 15, 1882 |
| Lilburne Chandler..... | May 15, 1882 |
| William Green..... | May 18, 1882 |
| Francis M. Walker..... | December 12, 1882 |
| Herbert H. Ward..... | December 12, 1882 |
| Francis H. Hoffecker..... | December 12, 1882 |
| Charles M. Curtis..... | February 6, 1883 |
| Charles C. Carpenter..... | February 6, 1883 |
| John B. Moore..... | November 26, 1883 |
| George T. Brown..... | May 19, 1884 |
| J. Frank Biggs..... | September 15, 1884 |
| Andrew E. Sanborn..... | September 15, 1884 |
| Willard H. Porter..... | May 17, 1886 |
| William L. Clark..... | May 29, 1886 |

¹ Admitted in Supreme Court October, 1815.

George Lodge.....December 4, 1844
William S. Prickett.....February 7, 1847

A List of Names of Attorneys of Kent County.

William Killen,
Joshua Fisher,
John Caldwell.....February 15, 1788
William Killen, Jr.....May 17, 1788
Robert Clark.....February, 1789
John Fisher.....August 11, 1791
Thomas Bellach.....February 17, 1792
Cesar Augustus Rodney.....April, 1793
Samuel White.....March, 1793
Persegrine Wethered.....April, 1799
Thomas Clayton.....April, 1799
Henry Moore Ridgely.....November, 1802
Alexander Stuart.....March 29, 1804
John Barratt.....March, 1808
John Lowber.....March, 1808
William K. Hilliard.....October, 1809
Nicholas Dorsey.....March, 1810
Robert Bates.....March, 1812
Joshua G. Brinkloe.....May 6, 1813
Alexander L. Hayes.....November 27, 1815
Robert Frame.....October 5, 1821
Martin W. Bates.....October 5, 1822
William Huffington.....October 5, 1823
George B. Rodney.....October 3, 1824
Joshua Clayton.....October 3, 1825
Samuel M. Harrington.....1826
Henry Stout.....1826
Kemp Robert.....May 1, 1826
Charles Marim.....March 3, 1827
John W. Ruth.....October 3, 1827
William Johnson.....
Ignatius T. Cooper.....March 3, 1828
William T. Pennell.....1828
Charles Kinney, Jr.....March 3, 1831
William R. Morris.....October 3, 1833
Saxe Gotha Laws.....October 3, 1833
Joseph P. Comegys.....April, 1835
Charles G. Ridgely.....April, 1835
James H. M. Clayton.....October, 1835
John W. Houston.....October 26, 1837
Peter S. Ruth.....1839
Nathaniel P. Smithers.....April 26, 1841
Daniel M. Bates.....April 24, 1843
Philip Culbreth.....October 28, 1844
Willard Saulsbury.....April 28, 1845
Manlove Hazel.....October 29, 1845
James B. Lofland.....October 24, 1848
John A. Nicholson.....April 21, 1850
David Blockson.....April 29, 1853
Edward Ridgely.....April 29, 1853
William Sharp.....October 24, 1855
John B. Penington.....April 28, 1857
Isaac Davis.....April 28, 1857
Henry W. Draper.....1858
Edward Tompkins.....October 27, 1861
Charles H. B. Day.....October 29, 1861
John O. Slay.....October 27, 1862
John L. Pratt.....October 27, 1862
Henry W. Draper.....April 28, 1863
Charles P. Wetherby.....April 29, 1863
Francis Register.....April 25, 1864
Thomas C. Frame.....April 25, 1864
J. Alexander Fulton.....April 25, 1865
George V. Massey.....October 23, 1865
Martin R. Hillyard.....October 23, 1865
James H. Heverlin.....April 23, 1866
James L. Walcott.....October 23, 1866
Benajah Watson.....October 28, 1866
Edward L. Marton.....November 1, 1866
Shadrach J. Raughley.....November 2, 1867
Arthur C. McDaniel.....April 27, 1868
Robert W. Todd.....April 27, 1868
Charles F. Holland.....May 2, 1868
George H. Bates.....April 27, 1869
Henry R. Johnson.....April 22, 1872
John F. Bacon.....April 29, 1875
John R. Nicholson.....October 3, 1876
H. B. Lewis.....October 3, 1877
James Penniwell.....October 28, 1878
Fred. A. Williams.....October 27, 1879
Robert C. White.....October 27, 1880
William T. Smithers.....October 21, 1880
Addison M. Gooding.....October 21, 1880
Richard R. Kenney.....October 24, 1881
Henry R. Lewis.....October 24, 1881

Ezekiel T. Cooper.....October 24, 1881
B. F. Davis.....April 24, 1882
Willard Saulsbury, Jr.....October 21, 1882
John S. Houston.....October 21, 1882
Nathaniel J. Williams.....April 23, 1883
Samuel D. Truitt.....October 27, 1884
Nathaniel B. Smithers, Jr.....April 23, 1886

Members of the Bar.

Saunder County.

Hugh Neill.....November 4, 1746
Benjamin Chew.....May, 1748
Mark Smith.....May, 1748
Thomas McKean.....November, 1754
Shepherd Kollock.....1756
Joseph Earle.....October 29, 1765
Thomas Maddox.....May 8, 1776
William Polk.....May 8, 1776
Gunning Bedford.....August 4, 1779
John Wilkins.....May, 1783
Nicholas Haneman.....August, 1783
John Vining.....August, 1783
John Dane.....April, 1785
William Dane.....April, 1785
George Ward.....April, 1785
Isaac Henry.....April, 1785
William Peery.....October, 1785
David Frain.....December, 1785
Joseph Miller.....April, 1786
John Wise Batson.....February, 1787
Davidson David.....February, 1787
Isaac Purnell.....February, 1787
Robert Clark.....May 7, 1789
Dagworthy Jones.....October 28, 1789
James P. Wilson.....April, 1790
Benjamin Dashiell.....August, 1791
John Holbrook.....August, 1791
James Monroe.....August, 1791
Samuel Charles Young.....July 31, 1792
Robert Campbell.....November, 1793
Samuel White.....April 23, 1795
James M. Broom.....October 19, 1797
Peter Robinson.....April 23, 1799
Willard Hall.....April, 1803
Thomas Cooper.....1805
Joseph Hall.....October 10, 1809
Isaac Fisher.....March 19, 1812
Dagworthy Wells.....October 13, 1817
Theophilus Anderson.....October 12, 1818
Henry Wells.....October 14, 1818
John M. Clayton.....October, 1819
Elisha D. Cullen.....October 3, 1821
Thomas Robinson.....1823
Edward Lloyd Wells.....March 3, 1825
Caleb S. Layton.....March 12, 1827
Edward Wooten.....March 8, 1830
John P. Brinkloe.....April 14, 1835
John R. McFee.....April 12, 1841
George P. Fisher.....April 12, 1841
William P. Chandler.....April 16, 1841
John C. Patterson.....April 8, 1844
John W. Osborne.....April 8, 1844
John E. Parker.....1848
C. Rodney Layton.....1848
Alfred P. Robinson.....1850
Rufus Waples.....October 22, 1851
Charles M. Cullen.....October, 1852
Jacob Moore.....April 8, 1853
John H. Stotzenburg.....October 14, 1853
Daniel J. Layton.....April 23, 1857
Edi Saulsbury.....October 13, 1857
Alfred P. R. Wooten.....October 12, 1858
Elias S. Reed.....October 13, 1858
Benjamin Nields.....April 12, 1859
John H. Paynter.....April 9, 1861
Edwin R. Paynter.....April 9, 1861
Curtis W. Wright.....September, 1862
Alfred P. Robinson, Jr.....April 16, 1863
Alfred S. Redden.....April 9, 1867
John P. Saulsbury.....April 9, 1877
Charles F. Richards.....October 15, 1888
Henry T. Rodney.....April 14, 1869
David T. Marvel.....April, 1879
Thomas Davis.....April 13, 1880
Charles W. McFee.....April 14, 1884
Edward D. Hearn.....April 14, 1884
Charles L. Moore.....October, 1885
William H. Boyce.....October 10, 1887

*Roll of Solicitors of the Court of Chancery of
New Castle County.*

John Wales.
George B. Rodney.
George C. Gordon.
John C. Patterson.
Samuel Guthrie.
William C. Spruance.
Joshua Maria.
John H. Rodney.
George Gray.
S. Rodmond Smith.
George H. Bates.
Walter Cummins.
James H. Hoffecker, Jr.
Austin Harrington.
Henry C. Turner.
Henry R. Pennington.
Harry Sharpley.
Samuel W. McCaulley.
Tilghman Johnson.
Willard Saulsbury, Jr.
H. H. Ward.
John B. Moore.
John Biggs.
J. Frank Ball.
William T. Lynam.

William G. Whitely.
Victor Du Pont.
Thomas F. Bayard.
James R. Booth.
Benjamin Nields.
Charles B. Lore.
Ignatius C. Grubb.
Anthony Higgins.
Charles G. Rumford.
Alexander B. Cooper.
Edward G. Bradford, Jr.
Samuel A. McAllister.
Joseph A. Richardson.
Levi C. Bird.
James L. Vallandigham.
Thomas Davis.
Harry Emmons.
L. C. Vandegrift.
William D. Dowe.
Lilburn Chandler.
Charles M. Curtis.
Clifford James.
J. Frank Biggs.
Andrew E. Sanborn.

*Roll of Solicitors of the Court of Chancery of Kent
County.*

Under Constitution of 1792.

Richard Bassett.
George Read.
James A. Bayard.
James P. Wilson.
Nicholas Van Dyke.
Cesar A. Rodney.
John Fisher.
Washington L. Finney.
James M. Broom.
Outerbridge Horsey.
Thomas Cooper.
Peter Robinson.
Thomas Clayton.
William C. Frazer.
French C. Mullen.
Nicholas G. Williamson.
Henry M. Ridgely.
James Battell.

Willard Hall.....Aug. 11, 1803
John Barratt.....Aug. 15, 1808
Wm. K. Hillyard.....Aug. 17, 1810
Nicholas Dorsey.....Aug. 17, 1810
J. G. Brinckloe.....Aug. 11, 1813
Alex. L. Hayes.....Aug. 15, 1816
Robert Fisher.....Aug. 14, 1818
John M. Clayton.....Aug. 15, 1819
Martin W. Bates.....Feb. 18, 1823
Robert Frame.....Aug., 1824
Wm. Huffington.....Aug., 1824
Henry Stout.....Feb., 1827
Charles Martin.....Feb., 1828
S. M. Harrington.....Feb. 14, 1828
John S. W. Ruth.....July 27, 1829
Wm. Johnson.....Mar. 15, 1831
Ignatius T. Cooper.....July 29, 1831
Charles Kimmey, Jr.....July 29, 1831

Under Constitution of 1832.

H. M. Ridgely.
John M. Clayton.
Martin H. Bates.
Robert Frame.
William Huffington.
Henry Stout.
Charles Martin.
William Johnson.
Ignatius T. Cooper.
Charles Kimmey, Jr.
Saxe Gotha Laws.....Oct. 9, 1834
William R. Morris.....Mar. 25, 1835
Joseph P. Comegys.....Mar. 29, 1836
Charles G. Ridgely.....Mar. 29, 1836
Philip Culbreth.....Mar. 25, 1845
Daniel M. Bates.....Mar. 25, 1845
George P. Fisher.....Sept. 23, 1845
N. B. Smithers.....Mar. 29, 1846
Edward Ridgely.....Sept. 25, 1853
Wm. Sharp.....Sept. 23, 1856
H. W. Draper.....Sept. 23, 1856

John B. Pennington.....Mar., 1858
Eli Saulsbury.....Mar., 1858
Elias S. Read.....Sept. 27, 1859
Alfred P. Wooten.....Mar. 28, 1861
C. H. B. Day.....Mar. 26, 1862
Wm. F. Causey.....Sept. 29, 1863
John A. Nicholson.....Mar. 28, 1865
John L. Pratt.....Mar. 28, 1865
Henry W. Draper.....Mar. 28, 1865
Martin B. Hillyard.....Sept. 26, 1865
James A. Fulton.....Sept. 23, 1867
H. R. Pennington.....Sept. 25, 1871
S. J. Roughley.....Mar. 26, 1872
Henry R. Johnson.....Sept. 23, 1872
H. R. Pennington.....Mar. 29, 1877
J. R. Nicholson.....Mar. 29, 1877
John P. Saulsbury.....Sept. 25, 1877
James Penniwell.....1855
Richard R. Kenney.....Sept. 17, 1883
Wm. T. Smithers.....Sept. 17, 1883

*Roll of Solicitors of the Court of Chancery of Sussex
County.*

Peter Robinson.
Willard Hall.
Thomas Cooper.
Joseph Hall.
John M. Clayton.
Thomas Robinson.
Caleb S. Layton.
Edward Wooten.
John P. Brinckloe.
John R. McFee.
George P. Fisher.

C. Rodney Layton.
Alfred P. Robinson.
Jacob Moore.
Charles M. Cullen.
Edwin R. Paynter.
Charles F. Richards.
Wm. F. Causey.
James R. Lofland.
David T. Marvel.
Robert C. White.
Edward D. Hearn.

ATTORNEYS OF DELAWARE.—The first account of an attorney practicing in a court within the limits of what is now the State of Delaware is found in a letter of Vice-Director Jacob Alrich, of date March 30, 1658, in which he mentions paying "Schelluyn an Attorney" for conducting a suit against Dirck Cornelliessen Heinrich, the skipper of the "Prints Mauritz." Cases in court were represented from time to time by persons having power of attorney, but the first recognized attorney-at-law under the English government was one Dr. Thomas Spry, who took up land in what is now St. George's Hundred in 1675, and followed the practice of medicine. He also studied law, was admitted to practice in the courts of New Castle and Upland, November 7, 1676, and practiced in both courts until the order disbaring attorneys. The following minute is taken from the court records:

"Upon the petition of Thomas Spry desiring that hee might be admitted to plead some people's cases in the court, etc.:

"The worshipful Court have granted him leave so long as the Petitioner Behaves himself well and Carrys himself answerable thereunto."

On the 2d of January, 1677, John Adams appears at court as attorney for Henry Ward, one of the justices. About all that is known of this pioneer lawyer is that he lived on the east side of the Delaware, on the north side of the mouth of Salem Creek, where he owned a tract of land of two thousand acres, taken up in 1671.

John Mathews, on the 5th of June, 1677, "desiered to be admitted and was sworn" as an attorney in the jurisdiction of New Castle Court. On June 16th, at Upland Court, he was also admitted to practice, and in the oath he bound himself "not to exact unallowed fees, not to take fees from both plaintiff and defendant, and that he will not take any apparent unjust cause in hand, but behave as all Attorneys ought to do."

On the 19th of May, 1677, the Governor and Council, at Fort James (New York), passed the following order:

"Resolved and ordered that pleading attorneys bee no longer allowed to practice in ye Government but for ye depending Causes.

(Signed)

"M. NICOLLA, Clerk."

This order seems not to have been understood, or, if so, was not in any way obeyed, as John Mathews was admitted to practice after the date of the order, and on the 11th of September, the same year (1677), the court made the following rule:

"That all declarations must be entered, at least, the day before the Cort at which the Clarke is to attend att Upland, and that no persons bee admitted to plead for any other person as an Attorney in Cort without hee first have his admittance to the Cort or have a warrant of Attorney for his so doing from his Clyent."

No attention having been paid to the order of May 19, 1677, it was ordered "openly read in full Cort" on November 13, 1677, from which time, for many years, no attorneys-at-law appear.

The early court records show, besides those given, the names of Captain John Carr, John Moll, Robert Hutchinson, Captain Edmund Cantwell, Ephraim Herman, Abraham Man and a few others. These

men, with the exception of Robert Hutchinson, were all in official position and appeared as attorneys (verbal or written) for parties having cases in court—all, with the exception of Captain John Carr, under the rule of September 11, 1677. J. Hill Martin, in "The Bench and Bar of Philadelphia," mentions Abraham Man as an attorney-at-law in 1683, but there is no evidence to prove that he was. He acted as attorney, as did many others, under the rule of 1677. He resided at Bread and Cheese Island on Red Clay Creek and was one of the magistrates under Governor Andross, and when John Moll was president of the court, and Man at that time impeached the president, who retired from the bench until the affair was settled by the Council at New York, favorably to the president. Man, not discouraged, declared his intention to carry the case to the King, and publicly announced his intention and called upon all his debtors to settle, as he was going to London. He was also sheriff before Penn's time, and in all his career appears to have been very quarrelsome.

The first action concerning the admission of attorneys after the government passed to William Penn is found in Volume I., page 56, "Delaware Laws." An act was passed by the Assembly of the three lower counties, under the Governorship of John Evans, between the years 1704 and 1709, in which it is prescribed that attorneys should take the form of oath prescribed by Parliament in England in such cases. There is no record of any attorneys-at-law under this act.

In an act passed under Governor Patrick Gordon, who was in office from 1726 to 1736, it was enacted "That there may be a competent number of persons of an honest disposition and learned in the law admitted by the justice of the said respective courts to practice as attorneys there," who, before their admission, shall take an oath, as prescribed by act of Parliament in England.

Under this act then, and during the term of Governor Patrick Gordon, there appear three attorneys-at-law, residents of New Castle County, but probably admitted in Philadelphia or Chester County. The court records from 1700 to 1765 are very imperfect, and facts given for those years are gleaned from other sources.

Alexander Henry Keith, a son of Governor William Keith, was one of the number admitted to practice in Chester County. He resided at New Castle, and died in 1742.

James Keating, a barrister of Dublin, was admitted to practice in New Castle County before 1736, and resided there. He died in Chester in 1741.

John Robinson, a resident of New Castle, was admitted to practice in Philadelphia June 3, 1734, and died in New Castle in 1752.

The next record in the three lower counties is found in Sussex County in the minutes of the November term, 1746, as follows:

"To the Worshipful, his majesties justices of Sussex County, setting forth the petition of Hugh Neill, Humbly sheweth

"That your petitioner hath for some time Past been studying the Law, and hath now a Desire of being admitted an Attorney in this Worshipful Court. Your Petitioner, therefore, humbly prays to be admitted by your Worships an attorney of this court, According to an Act of Assembly of this government. And your Petitioner, as in duty bound, shall pray, &c.

"Lewes, Nov. 4, 1746.

HUGH NEILL."

The prayer was granted and he was admitted, but his name does not appear later as an attorney. It may be stated here that in 1750 the Rev. Hugh Neill was stationed at Dover as a missionary for the Society for the Propagation of the Gospel in Foreign Parts. There is no authority for saying that the attorney and the missionary Hugh Neill were one and the same person, but it is not improbable.

There is no record to show that Ryves Holt, of Lewes, Sussex County, was a recognized attorney, but he was the King's attorney from 1733 until he was appointed chief justice in 1745, when he was succeeded by John Neill, of whom no information is obtained.

Benjamin Chew, who, in his early days, resided with his father, Dr. Samuel Chew, near Dover, Kent County, was admitted to practice law in Philadelphia in September, 1746, and also in Lewes, Sussex County, in May, 1748. His name appears in connection with a suit at that term of court. He practiced much in the three lower counties, but resided in Philadelphia. At the same term of court one Mark Smith was admitted to practice as an attorney, but nothing is known concerning him.

In this connection is given Shepherd Kollock, who succeeded John Neill as King's attorney in 1752. The time or place of his admission as attorney is not known, but he is mentioned in Martin's "Bench and Bar of Philadelphia" as being admitted to the bar. He died before August 8, 1758.

About the middle of the century the bar began to flourish from the accession of men of character and ability, and truly "there were giants in those days." It was then that there were ushered into the arena as young men, Thomas McKean, John Dickinson and George Read, who a few years later took prominent part in the conduct of politics and affairs of State, and exerted their powerful influence in moulding a new nation. Closely following these men, destined to be famous, not indeed as lawyers, but as statesmen, came such men as the senior Nicholas Van Dyke, Alexander Porter, who lived in New Castle County, Elisha Price, who practiced much in the courts, although a non-resident, and Joseph Earle. These were the leading practitioners of the times.

That Thomas McKean, signer of the Declaration of Independence, was a lawyer is a fact which, naturally, is not as commonly known as are many others concerning him. An extended sketch of his life appears elsewhere in this volume, but it is proper that some account of this distinguished man as an attorney should appear in this connection, especially as it adds to the roll a name of almost overshadowing importance. The signer was not only a lawyer, but one of

the earliest in the State, having been admitted in Sussex—at Lewes—in November, 1754. He was described in his application as "Thomas McKean, Gent., of New Castle," and was at that time living there. In May, 1755, he was admitted to the bar of Chester County, Pa., and on April 17, 1758, to the Supreme Court of the Keystone State. A fact which has escaped his biographers, and is believed to have been unknown to his descendants until recently, is that he studied law in the "Middle Temple," London, and that he sailed for England immediately after his admission to the bar of the Supreme Court of Pennsylvania, is attested by the record of his admission to the Society of the Middle Temple on May 9, 1758.¹ How long he remained in London is not known, but it was certainly for only a brief period. It is a notable fact that in 1762, in conjunction with Cæsar Rodney, he was appointed to revise and print the laws, and that he discharged that duty during the following ten years. He was appointed in 1765 sole notary public for New Castle County, and a justice of the peace, and clerk of the Court of Common Pleas and Quarter Sessions and Orphans' Court. "He concurred with his brethren of these courts in the orders to their officers to use only *unstamped* paper, being the first of the courts in the colonies to do so."² He was licensed to practice in 1766 in all the courts of New Jersey. In 1769 he was appointed to procure in New York copies of all papers concerning real property in Delaware, and these were declared of authority equal in value to their originals. About this time the life of this illustrious man began to flow in the broader channel which is better known and which is treated of elsewhere in this work.

Another illustrious name on the roll of attorneys of the same period to which McKean belonged is that of John Dickinson, far better known however, as political writer and statesman than as a lawyer. He was admitted to practice in Philadelphia about 1763, and was doubtless admitted in Delaware shortly before or after that date, for he is mentioned as one of the powerful competitors whom George Read had to encounter when, in 1754, he settled in New Castle. Thomas Jefferson once characterized him "as a lawyer of more ingenuity than sound judgment, and still more timid than ingenious," and in so doing was guilty of an injustice, which he appears to have himself recognized and in some measure made amends for, as in his writings he afterwards spoke of the great Delawarean as "so honest and able." Dickinson lived for many years on what was known as "Dickinson Manor," near the mouth of St. Jones Creek, in Kent County, but his later years were spent in Wilmington, where he died in 1808. His father Samuel Dickinson, was for a term presiding judge of the Kent County Court of Common Pleas.

Nicholas Van Dyke, Sr., is known to have been admitted in Philadelphia in 1765, and was presumably

admitted earlier in Delaware. He was a man of ability, and became President of the State, holding the office from 1783 to 1786. He died upon his farm in St. George's Hundred, February 19, 1789, in his fifty-first year.

Joseph Earle, admitted in October, 1765, was an attorney from Maryland, but practiced much in Delaware for many years, and lived at Lewes for a time.

Alexander Porter, Jr., was a member of the bar of New Castle County, admitted in 1765. But little is known of his career, except that his name appears frequently in connection, in public record and in public affairs, with Read, McKean, Dickinson and others. He resided on an estate called "Hamburg," below New Castle.

Joseph Anderson, at one time a prominent member of the Delaware bar and a distinguished Revolutionary soldier and statesman, was born in New Jersey, November 5, 1757. He received a liberal education and studied law, but in 1775 was appointed an ensign in the New Jersey Line. He was soon promoted to a captaincy and fought at the battle of Monmouth. In 1779 he was a member of Sullivan's expedition against the Six Nations, and in the following year was at Valley Forge. In 1781 he was at the siege of Yorktown. After the close of the Revolutionary War, Captain Anderson was breveted major, and practiced law in Delaware. In 1791, General Washington appointed him judge of the territory south of the Ohio River, in which position he continued until Tennessee was formed. He assisted in framing the Constitution of Tennessee and represented that State in the United States Senate from 1797 to 1815, during which period he was twice president *pro tempore* of that body. He was first comptroller of the United States treasury from 1815 to 1836, and died in Washington, April 17, 1837.

William Polk, who was admitted to practice in 1776, was a native of Sussex County, but no information has been ascertained concerning him as an attorney.

A number of attorneys were admitted to practice in Sussex County in 1783 and later of whom nothing is known, some of whom were also admitted in other counties.

The name of Clay was well known in New Castle County from the time of the Revolution until after 1850. One Slaton Clay, about 1750, married Ann, the daughter of Judge Jehu Curtis, of New Castle, who occupied many official positions in the three lower counties. On the 1st of October, 1754, a son, also called Slaton Clay, was born, who passed his early manhood in New Castle, then the capital of the lower counties; under the influence of George Read, Nicholas Vandyke and others, he was led to the study of the law and was admitted to the bar of New Castle County, May 22, 1777, and began practice in his native town and continued until 1779.

Upon the organization of the Council of the Delaware State, October 29, 1776, Slaton Clay was chosen its clerk and served in the Councils of 1776 and 1777,

¹ Martin's "Bench and Bar of Philadelphia," p. 22.

² "Life of George Read," p. 333.

and was succeeded by Benjamin Vining, son of John Vining.

In 1779 he accepted the invitation of a friend, who was a captain of a vessel, to take a trip to the West Indies. The vessel was captured by the British and Mr. Clay was taken to the Island of Antigua, and soon after took passage in a vessel for New York, that city then being in the possession of the British. The vessel was wrecked on the rocks of Bermuda, but Mr. Clay landed in safety. Finding little prospect of getting off the island, he opened a school and taught for six years. While there his views were changed and he desired to enter the ministry, and in 1786 embarked for Philadelphia, and on December 23, 1787, he was ordained to the Order of deacon by Bishop White, in Christ Church, Philadelphia, and on February 17th following he was ordained to the Order of priests in St. Peter's Church. He married in Philadelphia, and settled in Upper Merion, Montgomery County, as rector of St. James' Church, Perkiomen, St. Peter's, Great Valley, Chester County, and St. David's, Radnor, and as associate minister of Christ Church, Upper Merion. In July, 1799, he removed to St. James' Church, where was a glebe of thirty acres and a parsonage, and continued there until his death, September 25, 1821. The Rev. Jehu C. Clay, long rector of the Swedes' Church, Wicaco, now Philadelphia, was a son, and the Rev. Robert Clay, rector of Immanuel Church, New Castle, for thirty-six years and died in December, 1831, was a brother.

John Vining, son of Chief Justice John Vining, was born at Dover, December 23, 1758; studied law with George Read, of New Castle, and was admitted to practice in New Castle County, February 21, 1782, and at once took a prominent position at the bar of the State, not so much by his solid legal acquirements as by his brilliant intellectual faculties. He was elected to the House of Representatives of the United States soon after he reached the required age, and in January, 1795, was elected to the United States Senate. Robert G. Johnson, of Salem, New Jersey, writing of him, says he "was considered a very acute advocate at the bar, a very able debater in Congress, and a highly creditable representative of his native State." He died at Dover in 1802.

Joshua Fisher was the son of Frederick, and a direct descendant of John Fisher, who came over to America with William Penn, bringing with him his two sons, Thomas and John. Thomas was the private secretary of Penn. Joshua, the descendant of Thomas, and the subject of this sketch, was admitted to the bar shortly after the Revolution, and settled in practice at Dover, where he at once acquired a lucrative practice, whereby he amassed a handsome fortune for that period, although he died quite a young man. He was a brother of Dr. James Fisher, of Camden, and the uncle of the wife of Hon. John M. Clayton. He never married. He was esteemed to be one of the ablest lawyers in the State. From the proceeds of his practice he purchased quite a large landed estate in and near

Smyrna, where he erected the hotel now known as the Smyrna Hotel. He also built the house in the southwest corner of the public square in Dover, where Hon. Joseph P. Comegys, the present chief justice of the State, now resides, and has resided continuously for more than fifty years. He died in 1791.

Dyre Kearney, who was admitted to the New Castle bar in 1784, was a lawyer of ability, and enjoyed the confidence of his fellow-citizens, as is manifested from the fact that he was elected a delegate from Delaware to the Continental Congress. He served in that capacity with credit from 1786 to 1788.

William Peery, of Sussex, was admitted to practice in the Court of Common Pleas in 1785, and in the Supreme Court in November, 1793. He was a native of Broadkilm Hundred, near the head-waters of Cool Spring Run. He was in command of a company during the Revolution, and treasurer of the county from 1785 to 1796, practiced at Lewes and at Georgetown, died at the homestead and lies in the Cool Spring Presbyterian Grave-Yard. He left no descendants. His brother James left two sons, whose descendants still own the homestead.

James A. Bayard was the first of this illustrious family who had a place upon the attorneys' roll of Delaware, being admitted to practice in New Castle in August, 1787. He was born in Philadelphia, July 28, 1767, and was the second son of Dr. James A. Bayard, a physician of promising talents, who died at an early age, January 8, 1770. After the death of his father James A. was placed under the guardianship of his uncle, Col. John Bayard, of Philadelphia, with whom he remained most of his time until he entered Princeton College, from which he graduated September 28, 1784. He studied law with General Read and afterwards with Mr. Ingersoll, who was later the attorney-general of Pennsylvania. Upon completing his studies he decided to practice his profession in Delaware, a selection to which "the State was in a great degree indebted for a political weight in the national councils, which neither its population nor resources, its local advantages nor geographical extent, could have secured." He devoted himself to arduous study, not alone of the law, but of political science, and attained that intimate and thorough knowledge of public affairs and social principles which afterwards made him a great power in Congress. His attainments as an attorney were very soon eclipsed by the ability which he displayed in official life. He had been at the bar only nine years, when, having identified himself prominently with the dominant political party, he was elected, in 1796, to the Fifth Congress, in which he took his seat May 22, 1797. His subsequent political career is given elsewhere. It was upon the conclusion of the treaty of Ghent in 1814 that Mr. Bayard was attacked by the malady which terminated his life. After long delays, while negotiating the treaty in Europe, and in his embarkation and passage to America, during which Mr. Bayard suffered

severely, the ship on which he was a passenger arrived in the Delaware on August 1, 1815. But after an absence of two years from his family he had returned only to say farewell forever, for upon the 6th he expired, and so in the maturity of his powers and usefulness passed away one of Delaware's most distinguished lawyers and statesmen, the first to make illustrious in the annals of the State and nation the name of Bayard.

The wife of Mr. Bayard, to whom he was married February 11, 1795, was Miss Bassett, daughter of Richard Bassett, subsequently Governor of Delaware.

Of the Bayard family, of which the subject of the foregoing sketch was the earliest famous representative in Delaware, it may be remarked they were an ancient and historic family in the Old World, and very early settlers in the New. They trace their lineage back for centuries, to the time when one member of the family lived, who is known to history and romance as "the Knight without fear and without reproach"—Pierre du Ferrail, Seigneur de Bayard—and even earlier still, when successive generations of the family were noted for fidelity to their sovereigns and gallantry in war. For the purposes of this brief sketch, however, it is sufficient to begin with the immigration of a portion of the family to Holland. This occurred during the persecutions which followed the massacre of St. Bartholomew, and the exodus of the three brothers, Jacques, Thomas and Phillipe Bayard, was imperative, from the fact that they had espoused the Huguenot faith. One of their descendants, Samuel, married Anneke or Anna, daughter of Balthazar Stuyvesant and sister of Peter Stuyvesant, Governor of New Amsterdam, and she, being a widow at the time of her brother's appointment, came with him to America, bringing her three sons—Balthazar, Nicholas and Petrus—and a daughter Catherine. From these three brothers all of the Bayards in this country are descended, those of the first and second being in New York. Petrus Bayard became a convert to the Labadists and accompanied them to Cecil County, Maryland, where they settled on the Bohemia Manor grant to Augustus Herrman. Petrus Bayard had an interest in these lands, and upon the dissolution of the Labadist Society and the partition of the lands in 1698, his son, Samuel, became possessed of a portion, and lived there all of his remaining years. His father lived there too nearly all the rest of his life, but died in New York in 1699. Samuel died in 1721, leaving three sons,—Samuel, Peter and James,—and one daughter, Mary Ann. James, the third son, married Mary Asheton, of Virginia, and of this marriage were born two sons,—John and Dr. James Asheton, the father of James A. Bayard, first of the Delaware statesmen of his name, and the subject of the preceding sketch.

Robert Clark, a brilliant attorney of his day, was admitted to the bar February, 1789, and practiced his profession in Dover, where he died comparatively a young man. He was one of the commissioners

appointed to superintend the construction of the Court House and State House in Dover.

Dagworthy Jones, who was admitted in October, 1789, was a large land owner in Dagsborough Hundred, but does not appear as an attorney of any note.

James P. Wilson was a native of Lewes, and the son of the Rev. Matthew Wilson, pastor of the Presbyterian Church at that place. He was admitted to practice in Sussex County Courts in April, 1790, and in the Supreme Court November 19, 1793. He began practice in Lewes, and after the removal of the courts to Georgetown, removed there and opened an office on the northwest side of the public square, where he practiced until his abandonment of the law for the ministry about 1806 or 1807. The tragic death of his brother, Dr. Theodore Wilson, at Lewes in 1805, made a strong impression upon his mind, which led him to make the change. He studied for the ministry, and after his ordination accepted a call as pastor of a congregation in Philadelphia, then newly formed, which built the church on Washington Square, known as the Dr. Barnes Church. With this congregation he lived and died. He was buried in the churchyard. It is related that a few years after his settlement, his growing family necessitated an increase of salary. He mentioned the subject to the trustees, but no attention was paid to it, and shortly after he called a meeting of the trustees, explained the matter to them and proposed that he preach two sermons on the Sabbath and be allowed to practice his early profession in the courts of Philadelphia. This proposition was not accepted, and his salary was increased.

Nicholas Van Dyke, Jr., one of the most distinguished lawyers of the State during the close of the last century and the early years of the present, was born in New Castle December 8, 1770, and died May 21, 1826. He graduated from Nassau Hall in 1788; studied law in the office of his brother-in-law, Chief Justice Kensey Johns; was admitted to practice in 1791, and soon obtained a large practice. He was a sound lawyer, and was particularly noted for his fluency and grace, his success as an advocate and his skill in managing cases. He was remarkable too, for the ease and elegance of his manners and conversation. He had a taste for architecture, and exercised it in the erection of two fine houses in New Castle, where he lived, and two near that town, his ample fortune enabling him to gratify this taste. He was a man of pure character and of piety—a member and ruling elder of the Presbyterian Church. His public or political life began with his election to the Legislature in 1799, and this was succeeded by his election to the House of Representatives in 1809, to the Senate of Delaware in 1815 and to the United States Senate in 1817. To this body he was re-elected, and he was a member of it when he died.

Thomas Bellach, who studied law and was admitted to practice at the bar of Kent County February 17, 1792, was a brother of James Bellach, who was one of the justices of Court of Common Pleas of Kent

County from 1786 to 1792, and later moved to Naaman's Creek, New Castle County. After admission to the bar, he opened an office in Dover, and practiced until his death, which occurred a few years later and while yet a young man.

William Hill Wells was an attorney, but where and when admitted is not known. He first appears in Dagsborough Hundred, where he married Rachael, the daughter of General John Dagsworthy. He resided part of the time at Dover and Georgetown, and the remainder of the time at the Dagsworthy homestead, of which his wife came in possession. He succeeded Dr. Joshua Clayton in the United States Senate, January 18, 1799; resigned November 6, 1804, and was again elected May 28, 1813. He died in 1829 at Dagsborough and is buried in Prince Georges Church-yard.

Joseph Miller, admitted in Sussex County, April, 1796, was a son of the Rev. John Miller, of Dover, and practiced mostly in that place. He died early.

John Wise Batson, a brother of Kendall Batson, was admitted in the Court of Sussex County in 1796, but nothing is known of him as an attorney. He was a member of the Constitutional Convention in 1792.

Cæsar Augustus Rodney was one of the most notable of the Delaware lawyers of what may be called the middle period—as prominent in public as in professional life. He was born in Dover, January 4, 1772, was a son of Col. Thomas Rodney and Elizabeth Fisher, the descendent of a family having a very ancient history in England and early settled in America. His earliest ancestor here was William Rodney, who, having married a daughter of Sir Thomas Cæsar, came to Pennsylvania about the time that province received its first influx of English settlers, and not long afterwards removed to Kent County. He was the first Speaker of the Assembly of the Three Lower Counties. He left eight children, among them Cæsar Rodney, the father of the eminent Cæsar Rodney, the signer, and Thomas, the father of our subject, who, like his elder brother, had large ability and, unlike him, marked eccentricity. He was appointed by President Jefferson a judge in the Territory of Mississippi and died there in office. Our subject was brought up by the uncle whose name he bore, and evidently his character, especially his intense admiration for American civil institutions, was attributed in considerable measure to the influence of the patriot. The latter made provision by will for the education of Cæsar A. Rodney, and it was completed at the University of Pennsylvania, from which he graduated in 1790. Shortly after he commenced the study of law with Joseph B. McKean and was admitted to the New Castle bar in 1793. He soon took a high rank, but not the highest, among the lawyers of the day, "while he brought to the forum" says William T. Read,¹ "competent power as a dialectician, with extensive knowledge of legal principles and decisions, it was in addressing a jury that he ex-

celled. Always fluent, he could be pathetic, or delight his hearers with declamation adorned by figures from his prolific fancy, or by facts from his ample store of general knowledge . . . The court, the jury, the bar and the bystanders listened to him with favor and were inclined to his side of the case. Old-fashioned lawyers sometimes thought he got out of bounds. Chief Justice Read, when he quoted 'Beccaria on Crimes and Punishments,' stopped him, saying, 'that book is no authority in any court.'" The characterization of Mr. Rodney as a lawyer, which we have followed, is continued at some length, but probably enough has been given to convey a general idea of his professional abilities and peculiarities. It may be added that his library was the largest in the State and it was well and wisely used. He was early involved in politics "because then as now it was difficult for the eminent lawyer to avoid being a busy politician." A strong evidence of his popularity was his election to Congress as a Democrat, in 1802, by a majority



CÆSAR A. RODNEY.

of fifteen votes over James A. Bayard. He won distinction in the impeachment trial of Judge Chase in 1804, and a year later in several others. In 1807 he was appointed Attorney-General of the United States, which office he held four years, during a critical and momentous period, enjoying the confidence of the President and Cabinet; and among his many opinions, delivering but one which is known to have been questioned. He returned to the practice of law at Wilmington, which he followed with marked success and distinction until 1817, when he was appointed by President Monroe as head of the mission sent to South America to solve the doubt concerning the advisability of the recognition by the United States of the newly-formed Republics. The high duties of the commission and the interesting problems devolving upon it for solution, made the position a gratifying one to Mr. Rodney, and he hopefully entered upon the work. He visited the countries in question, and, returning in the summer of 1818, made a report to Congress, which increased his reputation and went far towards extending recognition to the Argentine Republic. In 1820 he was a second time elected to the House of Representatives, and in 1822 was elected

¹ "Life of George Read," p. 231, Appendix.

by the Legislature of Delaware to the Senate of the United States, being the first of his party to receive this distinction, as he was the first Democrat chosen to the lower branch of Congress. In 1822 it was resolved by Congress that the "United Provinces of La Plata ought to be acknowledged by the United States;" and in 1823 Mr. Rodney was appointed Minister Plenipotentiary to that government. He sailed from Wilmington on the frigate "Congress," June 8th, to enter upon his diplomatic duties, having received a testimonial from the people of the town in the form of an elegant banquet, and in this they little thought they were extending to their honored citizen a farewell forever; but so it proved. His health, previously impaired, rapidly declined in his new home, and he died on the 10th of June, 1824, in the city of Buenos Ayres, where his bones still rest.

Prominent among the men of the colonies in the important events preceding, during and at the close of the Revolutionary War was Jacob Broom, who acted with George Read, John Dickinson, Thomas McKean and others. He resided at Wilmington and was engaged in manufacturing, and later moved to Philadelphia, where he died April 25, 1810.

Hisson, James M. Broom, was born in 1778, entered Princeton College and graduated in 1794, after which he studied law in New Castle and was admitted to practice at the bar of that county in April, 1801, and began practice in that town. He was elected a member of Congress in 1804-05, after which he moved to Baltimore, Md., and in 1815 moved to Wilmington and, with John Wales, began the practice of law.

About 1819 he removed to Philadelphia, became a member of the Philadelphia bar and entered upon a successful practice, which he continued until within a year of his death, which occurred in January, 1850. He was a member of the Pennsylvania Legislature about 1824. His son, Jacob Broom, born in Philadelphia, was a member of the bar of that city, member of Congress from Pennsylvania and candidate of the Native American party for the Presidency of the United States in 1852, and died in Washington in November, 1864.

Henry Moore Ridgely, of Kent County,—admitted in March, 1802—was not only one of the ablest and most successful lawyers of his time, but a business man of unusual sagacity, a political leader of marked prestige, the recipient of numerous public honors, and a man at once of versatile mentality and sterling moral character. He was a son of the eminent physician of Dover, Dr. Charles G. Ridgely (of whom a sketch appears elsewhere in this work), and was born August, 6, 1779. His father died while our subject was a boy, and his education devolved largely upon his mother—a lady well endowed for the task—*nee* Ann Moore, a daughter of William Moore, of Moore Hall, Pa. His later education was obtained at Dickinson College, and he read law with his relative Charles Smith, Esq., of Lancaster, Pa. About the time he was admitted to the

bar Mr. Ridgely became involved in a duel which came very near costing him his life. The circumstances were as follows: Dr. Barratt, of Dover, had been grossly insulted by a Mr. Shields, of Wilmington, and, in accordance with the spirit of the times, sought satisfaction through the "code," and desired Mr. Ridgely to be the bearer of his challenge. The latter did so, and Shields refused to meet Dr. Barratt, but challenged the bearer of the message. Ridgely felt that he was obliged to accept, the duel was fought, he was severely wounded and for a time it was thought he could not live. He recovered after a painful prostration, and public feeling was so aroused against his antagonist that he left Wilmington never to return.

Mr. Ridgely, upon his admission, found at the Bar such lawyers as Caesar A. Rodney, George Read, and Nicholas Van Dyke, yet he soon forced his way into a large practice, and obtained a position of almost commanding influence. He was a pleasant and strong speaker, alike in courts, in political contests, and in legislative halls. The esteem in which his honor and ability were held was indicated by his election as president of the Farmers' Bank of Dover, upon its incorporation, in 1807, a position which he held for forty consecutive years. He was elected as a Federalist Representative to Congress in 1811; re-elected by a large majority in 1813, and declined nomination in 1815. He was appointed Secretary of State in 1817, and again in 1824, and in this office performed a valuable work for posterity, in collecting and arranging in proper form for preservation the scattered and poorly kept archives of the State. He was repeatedly elected to the Legislature, and framed some of its most important laws. Mr. Ridgely apparently cared nothing for office for personal ends, and he refused the chancellorship in 1830, and afterwards the honorable position of chief justice, and still he had the interests of the public so much at heart that he accepted the comparatively unimportant office of levy court commissioner, and by patient labor restored the affairs of Kent County to an orderly condition, and when he found that there was mismanagement in the County Almshouse, he requested to be made trustee, brought about many reforms, added greatly to the comfort of the paupers, and saved the County much expense. He was elected to the United States Senate in 1827, where he was especially influential in many matters, and particularly known (as he had been in the House) as an advocate of a protective tariff. Mr. Ridgely retired from public life and from the arduous duties of his profession in 1832, and gave much attention to farming during his remaining years. He was twice married, the wife of his youth being Sarah, daughter of John Banning, of Dover, with whom he was united in 1803, and his second wife, Sallie Ann, daughter of Governor Cornelius P. Comegys. He left six children by his first wife. His death occurred August 6, 1847, upon his birthday, and at the completion of his sixty-eighth year.



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Henry M. Rice

U. S. Senate

2 Dec 1827

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Thomas Cooper, a brother of Governor William B. Cooper, was born in Little Creek Hundred, Sussex County, studied law with James P. Wilson, then in Georgetown, about 1803, and was soon after admitted in Sussex County, where he continued in practice until his death, in 1829, about sixty-five years of age. Judge Edward Wootten and Judge Caleb S. Layton were students under him. He was a very able lawyer and highly esteemed.

James Rogers, a native of New Castle, was born in 1779, studied law for three years in Dover, Delaware, part of the time in the office of the Honorable Nicholas Ridgely, and was admitted to the bar of New Castle County in April, 1803. He at once entered upon practice in New Castle County, and continued until his death, which occurred September 15, 1868. A meeting of the bar of New Castle County was held on the 22d October following his death, at which the following resolutions were passed:

"Resolved, that by the death of James Rogers the community in which he has lived for many years, has lost one of its most respected citizens; the State, one who has filled with honor and advantage to the public service several offices of high responsibility; and the Bar of Delaware, its oldest and one of its truly distinguished members.

"That this sad event has severed one of the few remaining links which connect the present body of our profession with the distinguished men of its earlier history, the deceased being in his life-time a type of the same dignity and ability which marks their career.

"That for twenty years Mr. Rogers held the responsible office of Attorney-General of this State bringing to the discharge of his duties a mind thoroughly imbued with the knowledge of the Law and fulfilling the various requirements with an ability and zeal combined with a moderation which have never been excelled.

"That we recognize among the elements of his professional character a pure morality and a pains-taking industry—traits which doubtless contributed to his success.

"That after almost half a century spent in the active labors of his profession, reaping its honors and rewards, he returned to private life and spent the remainder of his days in pursuits congenial to mental and physical repose and has, at last, sunk peacefully to the grave full of years, leaving to his children the heritage of an honored name, and to the Bar an example not unworthy of their highest ambition."

Outerbridge Horsey, admitted in 1807, was a native Delawarean and was born in 1777. He studied under James A. Bayard first and became eminent in his profession. He entered politics, rose rapidly, was for many years attorney-general of the State and a Senator in Congress from 1810 to 1821. He died at Needwood, Md., June 9, 1842.

Louis McLane, whose sketch appears elsewhere, was one of the old-time attorneys of the State who became distinguished in public affairs. He was a son of Allen McLane, and when twelve years of age was appointed a midshipman in the navy, on leaving which, in 1801, he studied law and was admitted in December, 1807.

Nicholas G. Williamson, the son of Abram Williamson, was a native of Brandywine Hundred, and was born in 1780. He studied law under the direction of Cæsar A. Rodney, and was admitted to the bar of New Castle County in April, 1809, and practiced in Wilmington many years. In 1822 he was appointed postmaster of Wilmington, and in 1825 was elected the second mayor of the city. His official business in connection with these offices required so much of his time that he abandoned the law. He occupied both positions until his death, which occurred October

15, 1843. He is buried in the burial-ground of the Friends on Fourth and West Streets, near the burial-place of the Hon. John Dickinson.

Archibald Hamilton, who was admitted to the bar of New Castle County in April, 1809, was of an old family in the county. He resided in Wilmington, and practiced his profession thirty-three years, and until his death in 1842. His last case in the appearance docket is in November, 1841. He was an earnest advocate for the removal of the county-seat from New Castle to Wilmington, and a caricature of "Archie Hamilton" with the court-house on his back was one of the amusing pictures distributed through the county during one of the campaigns for that purpose. Alexander H. Hamilton, a brother of Archibald, was also an attorney and was admitted to the bar of New Castle County, in October, 1827, and settled in Philadelphia, where he practiced his profession. For some reason he was again admitted to the New Castle County bar in May, 1838, and is then mentioned as of Philadelphia.

Isaac Fisher, who was admitted in Sussex County in November, 1812, soon after removed to Lewistown, Mifflin County, Pennsylvania, where he practiced many years and died at an advanced age.

Alexander L. Hayes, of Kent County, and afterwards of Pennsylvania, was admitted in 1815, but practiced in Delaware only a few years, being a conspicuous contribution of the lesser to the larger State. He was descended from Richard Hayes, who came to America in 1698, and settled in Sussex County, and was the son of Manlove and Zipporah (Laws) Hayes, who lived at York seat, Kent County. He was born March 7, 1793; he graduated from Dickinson College in 1812, and entered upon the study of the law with Henry M. Ridgely, of Dover, being admitted, as before stated, in 1815. About 1820 he removed to Philadelphia, in the following year to Reading, Pennsylvania, and in 1827, having been appointed assistant judge of the District Court of Lancaster and York Counties, took up his residence in the seat of justice of the latter. He was appointed president judge in 1833, and resigned to follow the practice of his profession in 1849. He became largely interested in manufacturing, but in 1854 was returned to the bench in Lancaster as law judge, and in 1864 was re-elected. Upon the expiration of his term in 1874 he had served altogether forty-two years upon the bench. He died on the 13th of July, 1875, in his eighty-third year, leaving several daughters, who are now residents of Lancaster.

John Wales was born at New Haven, Connecticut, July 31, 1783, and died at Wilmington, Delaware, December 3, 1863. His American ancestors were among the early settlers of New England. Nathaniel Wales landed in Boston, in 1635. Rev. John Wales, a great-grandson of Nathaniel, graduated at Harvard College in 1728, and for thirty-four years was pastor of the First Congregational Church of Raynham, Massachusetts. He married a great-granddaughter



Very truly yours
Martin W. Bates

of James Leonard, who, together with his brother Henry, had emigrated from Pontypool, Monmouth County, England, a district on the border of Wales, rich in deposits of coal, iron and tin, and in 1652 located at Raynham, then included in the town of Taunton. Here the Leonard brothers "set up a bloomary work," with license to cut wood and take ore "in any of the commons appertaining to the town where it is not proprietary." This was the first iron manufactory established on the American continent. It was enlarged from time to time by additional furnaces, and continued in the possession of the Leonards and their descendants for many years. During the colonial history of Massachusetts, members of the Leonard family filled important positions in the church and magistracy, and to this day their representatives are to be found among the public and active men in different parts of the United States. ("History of Raynham," by Rev. E. Sanford, 1870.) One of the family became conspicuous during the early part of the Revolution as a Loyalist, and was obliged to flee the country. This was Daniel Leonard, who was subsequently appointed chief justice of Bermuda as a reward of his loyalty, and as some compensation, it may be supposed, for his personal sacrifices.

Rev. John Wales died February 23, 1765, having survived his wife. They left two children, Samuel and Prudence. The daughter became the wife of Rev. Percy Fobes, who succeeded his father-in-law in the pulpit of the Raynham Church. Samuel graduated at Yale in 1767, entered the ministry, and, as recorded by himself, "was ordained over the First Ecclesiastical Society in Milford (Conn.), Dec. 19, 1770, in his 23d year." He was afterwards made a Doctor of Divinity, and at the time of his death, at the comparatively early age of forty-seven, was a professor in the Theological School at New Haven. He had the reputation of being an accomplished scholar and an able and eloquent preacher. He married Miss Catharine Miles, of Milford, who, with their four children—three sons and one daughter—survived him. The subject of this sketch was the second son of this marriage, and was yet in his early boyhood at the time of his father's death, but he was blessed with the watchful care and tender devotion of a good mother, a woman of fine understanding and practical good sense, who blended firmness with indulgence in the management of her children, and thus won both their love and respect. She lived to see her children educated and settled, and, dying at an advanced age, retained to the last their grateful and reverent affection. Her son John never omitted an opportunity to praise her virtues and to honor her memory.

As was the custom in those days, the youth was received into the family of a clergyman to be prepared for college, and in due time entered Yale, where he graduated in 1801. Intending to adopt the law as a profession, he pursued his legal studies in the office and under the direction of his brother-in-law, Seth P.

Staples, and on his admission to the bar commenced to practice in his native State, but in a short time, not meeting with the success he had hoped for, or, perhaps, stirred by the impulse which prompts so many young men to seek fortune in a new country, or in a place distant from their native home, he first set out for Washington City, taking with him letters of introduction. His friend, the late Charles Chauncey, advised him to pitch his tent in Philadelphia, then, and for a long time, the El Dorado of the legal fraternity, but after surveying the field there and at Wilmington, he was persuaded to open an office in Baltimore. Here he had remained only a few years when he accepted the invitation of James M. Broom to form a partnership with that gentleman in the practice of law in Delaware. In pursuance of this plan, he came to Wilmington in 1815, and on the 30th day of October, in that year, in the Court of Common Pleas, at New Castle, on motion of Nicholas Van Dyke, was admitted to the Delaware bar. He was not at this time an entire stranger in Delaware, having made the acquaintance of several families when traveling through the State on his annual visits to his New England relatives.

The law-firm of Broom and Wales continued in active operation until 1819, when the senior partner removed to Philadelphia. The court dockets show that they had a lucrative business. Mr. Broom was a lawyer of considerable attainments in his profession, of scholarly tastes and of attractive conversational power. On the dissolution of the partnership, Mr. Wales continued the business on his own account, and for nearly thirty years afterwards his presence and voice were familiar to all who attended the courts at New Castle, or the Court of Appeals at Dover. He had become almost a veteran lawyer before a regular series of reports was begun in this State, but the earlier volume of the Delaware Reports (Harrington) shows that he had a large share of business, both in the equity and law courts, and from the character of the cases in which he appeared, and from the brief notes of his arguments, he stood among the foremost of his contemporaries at the bar. He had acquired quite a reputation as a Chancery lawyer, and his practice in that branch of the profession was correspondingly extensive. A naturally strong mind, improved and kept alert and bright by the constant exercise of its faculties, combined with a sound and vigorous body, enabled him to perform the most laborious duties without suffering from the exhaustion which so often follows the studious preparation and the protracted trial. He was an animated speaker and always secured the attention of the court and jury.

Thoroughly identified in interest with the growth and prosperity of his adopted home he was always ready to aid in every measure for the moral or material improvement of his city and State. He was one of the original promoters of Delaware College, and unsuccessfully advocated its location at Wilmington. The president of one of the oldest banks in





Very truly yours
Martin W. Bates

Wilmington, and a director in the first Fire Insurance Company organized in the State, he also bore a principal part in obtaining the city charter of Wilmington, and in the earliest steps taken to construct the railroad between Philadelphia and Baltimore *via* Wilmington.

At all times interested in public affairs, his opinions in relation to them were frankly avowed and consistently adhered to. Belonging to the Whig school in politics, he was an enthusiastic admirer of Webster and Clay, the distinguished chiefs of that now historic party, and took his share of political campaigning, at a time when "stump speeches" were perhaps more necessary and useful than in these latter days of abundant documents and the ubiquitous newspapers.

On the inauguration of Major Thomas Stockton as Governor of Delaware, in 1845, Mr. Wales was appointed Secretary of State, and in March, 1849, he was elected by the Legislature to the Senate of the United States, to fill the unexpired term of John M. Clayton, who had entered the Cabinet of President Taylor. His service as Senator was of short duration, ending on March 4, 1851, the Democrats having in the mean time obtained a majority in the Legislature and selected James A. Bayard to succeed him. He had now virtually retired from the active practice of the law, and although deeply interested in the momentous and exciting questions which were hurrying the country, almost imperceptibly, into the vortex of civil war, he abstained from engaging in public discussions—his advancing age, indeed, exempting him from the labors of a political canvass—being content to have it known that he was opposed, as he always had been, to the extension of slavery, that he was hostile to secession and every form of disunion, and that he approved the principles and policy of the Republican party. After the war of 1861 had commenced, and during its progress, he felt, in common with thousands of his fellow-citizens, the deepest anxiety for the future of the country, although he never lost confidence in his opinion that the unhappy conflict would terminate in the preservation of the Union; and the military transactions of 1863 confirmed him in the belief that the cause he had so much at heart would soon be triumphant.

He was fortunate in the enjoyment of a serene old age, in the possession of an unclouded mind and of a happy, contented disposition to the end of his life. A regular attendant on public worship, his religious convictions were strong and sincere, but not demonstrative, appearing more in reverence of manner and charity of judgment than in open professions. He died after a short illness, which he was fully conscious from the first would prove fatal.

He was married on the 12th of June, 1820, to Miss Ann Patten (the only daughter of Major John Patten, and a granddaughter of Rev. John Miller, both of Kent County), a woman remarkable for her superior qualities of mind and heart. She died November 10, 1843, in the forty-fourth year of her age. Of

this marriage two sons and three daughters survived their parents,—Leonard E., John P., Catharine B., Matilda C. (since deceased) and Josephine M.

Elisha D. Cullen, in his day and generation one of the leaders of the bar of Sussex County and of the State, and a noted member of Congress, was born in Millsboro', Sussex County, April 23, 1799, and was a son of Charles M. and Elizabeth (Harris) Cullen. His father was an influential member of the Legislature, and his ancestors, who were from Scotland, were among the earliest settlers of Kent County. Elisha was educated at Princeton, studied law with Peter Robinson, afterwards associate judge, and was admitted to the bar in October, 1821, from which time he practiced in Georgetown until his death, in February, 1862. He was elected to Congress on the American ticket in 1854, and distinguished himself by his cogent reasoning and splendid oratory upon the great problems of the period, especially the Kansas and Nebraska question. He was a Democrat and the leader of this party in Sussex. His wife was Margaret, daughter of Robert West, of Lewes, by whom he had six children, among them Charles M., a lawyer of Georgetown.

Martin Waltham Bates was born February 24, 1786, in Salisbury, Conn., but at an early age his father removed to Berkshire County, Mass. He expected to be educated at Williams College, but, when the time came, his father was unable to give it to him, and consequently, at the age of nineteen, he was obliged to take upon himself his life-work and came to Delaware, settling first near Warwick, in the State of Maryland, and teaching school in both States. While thus earning his living he studied medicine, and then attended lectures and received the degree of M.D. from the University of Pennsylvania. Upon his graduation he settled in Smyrna and attained a good measure of success in his profession, but his health broke down and he was obliged to abandon the practice of medicine, and thereupon moved to Dover and engaged in mercantile pursuits. In the financial stress which followed the last war with England he became involved in difficulties and was unable to continue his business, abandoning it under what was, for that period, a heavy load of debt, which he was unable to pay and was very leniently treated by his creditors. A long time afterwards, having entered upon a new calling, he paid all his debts, principal and interest. Prior to his failure in business he had acquired quite a reputation in Dover as a debater, taking an active part in a society organized for that purpose, and with great misgivings—having then a wife and one child depending upon him—he accepted the advice of some of the leading members of the bar of Kent County and entered upon the study of the law in the office of the Hon. Thomas Clayton. He was admitted to the bar October 5, 1822, achieved an early success, and from that time until his retirement from active practice was recognized as one of the leaders of a bar, which contained a number of exceptionally able men.

Dr. Bates was very industrious and methodical,

always absorbed in the cause of his client, a fine pleader and thoroughly familiar with the practice of the court. He formed his opinions deliberately and then adhered to them tenaciously. He was a judicious counselor, a good *nisi prius* lawyer and argued questions of law in the Court of Errors and Appeals with discrimination and force.

He took an active part in politics, having been a Federalist so long as that party existed, and afterwards a Democrat. He was a member of the State Legislature in 1826, and a very active participant in the Constitutional Convention of 1853. He strongly advocated the right of the convention to act, and his speeches on that subject presented with great force the inherent right of the people, in an orderly way, to revise and amend their own Constitution. During the time when his party was in a minority he was an acknowledged leader in its counsels and was three times—1832, 1834 and 1836—the candidate of his party for Congress. It has always been understood that his sagacious leadership contributed very largely to the final triumph of the Democratic party over its opponents in 1852.

In 1857 Dr. Bates was elected to the United States Senate to fill the unexpired term of the Hon. John M. Clayton, who had died in the latter part of the previous year. Mr. Clayton had been elected when the Whigs had temporarily recovered the control of the Legislature.

On his way to Washington to take his seat in the Senate, Dr. Bates had a fall upon the ice in Wilmington, which caused a fracture of the thigh and compelled him to use crutches during the remainder of his life. Both his tastes and his mental characteristics were such that had he been able to remain in the Senate he would undoubtedly have become an influential member of that body; but his spirit was much broken by his physical infirmities, which included, not only the lameness referred to, but also partial blindness, resulting from cataract, from which, during the latter part of his life, he was partially relieved by an operation on one of his eyes. He retired to private life in 1859, and, thenceforth, resided quietly in Dover until his death, which occurred on January 1, 1869.

The history already given of Dr. Bates' early life is, of itself, sufficient to indicate that he was a man of unusual force of character. Foiled in his original scheme of life, and obliged to abandon his chosen profession, in the practice of which he had progressed far enough to show that certain success was before him, he resolutely turned into a new current and pressed forward with energy in the totally different pursuit which then opened before him. His situation at the time of his business failure was sufficiently grave to have disturbed the equanimity and discouraged the energy of even a more than ordinarily capable man. He was about thirty-five years of age and had a family; debts were hanging over him, and he had failed already in two distinct lines of

life upon which he had entered. Even a stout-hearted man might have faltered under such depressing circumstances; not so with Dr. Bates. Turning his back upon his failures, he took up the burden of life anew and resolutely entered, in his thirty-eighth year, upon what proved to be a singularly successful career. He had inherited from his New England ancestry a remarkably self-reliant character and a well-balanced mind, which was not discouraged by the continual conflict with the adverse circumstances which had hitherto stood in his path. Neither in his professional success, nor in his reputation as a lawyer, among his contemporaries has he been surpassed by any of the able men who have adorned the legal profession in Delaware. No man could have attained to his position in the profession without a thorough aptitude for it.

As a politician Dr. Bates' convictions were not hastily formed, but when formed, they were not likely to be abandoned. His political opinions rested upon his convictions of what was the true basis of free government, and led him to adhere devotedly to the fortunes of the Democratic party at a time when mere expediency would have led men into the ranks of the Whigs. The fact that his party was in the minority had no terrors for him; and even when many leading men in Delaware left his side in the Democratic ranks upon the issues raised during Jackson's administration, Dr. Bates continued his support of him and fought, campaign after campaign, until what had seemed a hopeless minority became a victorious majority.

In his personal habits Dr. Bates was very economical and his prudence in his own expenditures enabled him, from the comparatively small professional income of a lawyer in a country county at that day, not only, as already stated, to pay all his old debts, but also to exercise an unusually judicious charity in the most systematic manner, having to the end of his life resolutely set apart for charitable and religious purposes a tenth of his income; and to such an extent did he carry this principle that, by his will, he devoted the same proportion of his estate to the like uses. Not long before his death he made a codicil to his will increasing his bequests for eleemosynary purposes, stating at the time he did so, that he was afraid that his estate might prove to be larger than he had anticipated and that his bequests for such purposes must be increased, in order to amount to the proper proportion. Starting as late in life as he did, and having discharged the burdens upon him, he still accumulated what was, for his day, a moderate fortune. This he used very largely for the benefit of the neighborhood in which he lived and, in many instances, relieved men from executions in the hands of the sheriff by loaning them money which gave them encouragement and hope for the future, and such loans were almost always repaid. One of his most striking characteristics was his keen sense of, and capacity for, humor. His dry and trenchant criticisms

upon men and things were long remembered by his contemporaries, and were sometimes the source of pain to the subjects of them and, by re-action, of sorrow to himself. This faculty, coupled with his other mental characteristics, made him an unusually able debater and distinguished him among his fellows in every stage of his career.

His death evoked a general expression of regret from the people of the state. The General Assembly convened on the day appointed for his funeral, and immediately upon their organization, both Houses adjourned out of respect to his memory.

James A. Bayard (2d), of whose father a sketch has already been given, was born in Wilmington November 15, 1799. He attended Princeton and Union Colleges, graduating from the latter when nineteen years of age, and was admitted to the bar of Delaware in the spring of 1822. He began practice auspiciously, and was still a young attorney when his reputation led to his being selected as one of the counsel for the Chesapeake and Delaware Canal Company in the celebrated case of *Randel* against the company for breach of contract in constructing their works. The amount involved in the suit was nearly a quarter of a million dollars. The plaintiff was represented by John M. Clayton, James Rogers, George Read, Jr., and Chas. J. Ingersoll, and the company by Attorney-General Robert Frame, James A. Bayard and Walter Jones, of Washington. The case was an important one, and lasted two months. It brought Mr. Bayard increased reputation, and from this time on he was employed in nearly all of the leading cases before the courts until 1843, when he removed to New York, where he practiced for three years. In 1846 he returned to Wilmington, and resumed his high position among the attorneys of Delaware. It was, however, as a politician and statesman that Mr. Bayard achieved his greatest distinction. He was at first unsuccessful, twice being defeated in the campaign for Congress, in 1828 and 1832, when he ran as a Jackson Democrat, and the party was in a hopeless minority. In 1838 he was again a candidate, but the State Senate, then under the control of the Whigs, refused to go into joint ballot, and as a result, Delaware had but one Senator from 1839 to 1841. It was not until 1850 that his political success began. The party to which he belonged then carried the State, and he was elected to the Senate of the United States for the full term of six years, upon the sixteenth ballot, his competitor being Hon. Martin W. Bates. In 1857 he was returned for another term, and again in 1863. He opposed the prescribing of the test oath, but after its adoption by the Senate, subscribed to it, and then immediately resigned. George Read Riddle was elected as his successor, but he dying in 1866, Gov. Gove Saulsbury appointed Mr. Bayard to fill the vacancy, and upon the assembling of the Legislature he was elected by that body to fill the remainder of the original term, which expired March 4,

1869. This closed his public career, and his remaining years were passed in retirement, at his house in Wilmington. He died June 13, 1880. In early life he married Annie, daughter of Thomas Willing Francis, of Philadelphia, whose death occurred in 1864. Their surviving children are Hon. Thomas Francis Bayard, Mrs. Levi C. Bird, of Wilmington and Mrs. B. Lockwood, of New York.

William Huffington was born in Sussex County in 1793, and studied law in Dover, in the office of Hon. John M. Clayton, and was admitted to practice in 1823.

He was a fluent speaker and a ready writer. On being admitted to the bar, he at first received quite a flattering clientage; but he soon became more enamored with politics and literature than with his profession. In 1838 he became the editor and proprietor of *The Delaware Register*, a monthly magazine, published by Samuel Kimmey, at Dover. This periodical, though well edited, was discontinued at the close of one year, the enterprise being too far ahead of its time.

In 1840 Mr. Huffington was placed on the Whig ticket and elected as a Representative in the General Assembly of the State, in which body he addressed himself with great energy to the abolishment of the laws authorizing imprisonment for debt, and, after a very severe struggle with old-fogyism, his efforts were crowned with success.

In 1845 he removed to Wilmington, and having become a Democrat, was nominated afterwards by that party and elected mayor of Wilmington, which office he filled with great satisfaction to the people of that city.

Mr. Huffington never married. He died at Wilmington.

Thomas Robinson, of Sussex County, admitted in 1823, was the eldest son of Judge Peter and Arcada (Robinson) Robinson, and was born in 1800. He was a graduate of Princeton, studied law with his father at Georgetown, became an attorney of distinction and was elected to Congress as a Democrat in 1838, being afterwards defeated by George B. Rodney. He never married.

Robert Frame, son of Robert and Mary, was born December 6, 1800, in Indian River Hundred, Sussex County, near St. George's Protestant Episcopal Chapel. His mother was a widow when she married the father of the subject of this sketch. Dr. William Burton, Governor of Delaware 1859-63, was her son by her first husband and the half-brother of Robert Frame. Mr. Frame read law at Dover in the office of the Hon. John M. Clayton and was admitted to the bar at Dover in 1824. The writer of this sketch has frequently heard Mr. Clayton say that so diffident was Mr. Frame before and for some time after his admission that he had great difficulty in dissuading him from abandoning the profession of law altogether. It was with great difficulty that he could be brought to the point of undergoing an examination, but no

young lawyer ever passed a better one. He at once took a leading position in his profession, and in 1830 was, on the recommendation of his preceptor, appointed by Governor David Hazzard attorney-general of the State, and young as he was when appointed, that office has never been in the history of the State more ably filled and it is not probable that it ever will be. He was a man of extraordinary personal beauty and was no less remarkable for his keen, flashing wit and fine sense of humor than for his profound ability as a jurist and advocate. John M. Clayton, who was himself one of the very best lawyers of this country, often spoke of Mr. Frame as having no superior and very few equals as a lawyer in any State of the Union. He was associated with Mr. Clayton in the celebrated case of *Randel vs. The Chesapeake and Delaware Canal Company*, Mr. Frame being of counsel for defendants.

Mr. Frame was a devotee to his profession, and though a decided Whig in his sentiments, rarely devoted any time to politics. But he possessed the confidence of his party and against his own inclination was several times elected to the General Assembly, and had his health not been so feeble he would no doubt have been returned to the United States Senate instead of Hon. P. Spruance in 1847.

He married, in 1829, Jeannette McComb Clayton, the daughter of Hon. Thomas Clayton, chief justice of the State and subsequently for several terms United States Senator in Congress. His health became delicate from pulmonary trouble in 1845, and in 1846 he removed to the city of Wilmington, where he died a year later at the age of forty-seven years, and was buried in the Presbyterian Church-yard there. He left three children to survive him,—Robert, Thomas Clayton and Julia, all of whom are now living, Thomas being a prominent physician in Kent County and Robert a skillful druggist in Milford, Delaware.

Andrew Caldwell Gray, who came to the bar in 1826 and led a long and honored career, was a native of Kent County, born May 25, 1804. His father, a man of prominence in the State, was Andrew Gray, and his mother was a daughter of Colonel John Rodgers, of Harford County, Maryland, and sister of the Commodores John and George Rodgers, distinguished in the naval warfare of 1812-15. His father was a graduate of the University of Pennsylvania, and was frequently elected as a member of the General Assembly of the State, and from him his son, the subject of this sketch, inherited a strong taste for the classics, which clung to him through life. His father, having moved with his family from Kent in 1808, and settled in Mill Creek Hundred, New Castle County, the early education of Mr. Gray was received at Newark Academy, and he went from that institution to Princeton College, from which he graduated in 1821, at the age of seventeen. His legal studies were pursued with Judge James R. Black, then at the bar; and upon his admission he settled at New Castle,

where the remainder of his life was spent. He early attained a lucrative practice, and maintained great activity both in his profession and in the business world throughout his life.

As a lawyer, his arguments before the court were conspicuous for strong legal apprehension of the point of his case and clearness of presentation. He was for many years the counsel of the Chesapeake and Delaware Canal Company, and from 1853 to his death was its president.

After 1854 Mr. Gray almost entirely retired from the practice of the law, and became absorbed in the canal and railroad interests of the State. He was one of the projectors of the Delaware Railroad and one of its directors from the time of its organization. He was also president of the New Castle and Frenchtown Turnpike and Railroad Company, and of the New Castle and Wilmington Railroad Company until its consolidation with the Philadelphia, Wilmington and Baltimore Railroad Company.

He was connected with the Farmers' Bank at New Castle as director as early as 1838, and subsequent to 1849 was its president nearly or quite to the time of his death. He was also, for a number of years, president of the New Castle Manufacturing Company, one of the earliest locomotive-building concerns in the United States.

He refused repeatedly to allow his name to be presented for candidacy for public office, though frequently urged to accept the nomination for Congress and other high positions. He was, however, sent by his fellow-citizens of New Castle County to represent them in the Constitutional Convention of 1852, from which, after making an able speech denying the legality of the call for the convention, he retired.

Although not a politician, Mr. Gray was a prominent Democrat. At the time of his death, January 10, 1885, he was the "Nestor" of the Delaware bar, being the oldest member in point of admission. Mr. Gray was distinguished throughout his long life for the robust moral fibre of his character, his uncompromising probity, his benevolence and his unselfish public spirit.

An honor, unusual in the case of a private and unofficial citizen, was paid to his memory by the Legislature of the State, which was in session at Dover at the time of his death. It evidenced in an impressive manner the respect with which Mr. Gray had been regarded by his fellow-citizens throughout the State.

The following joint-resolution was passed at Dover May 13, 1885, when the news of his death was received:

"CHAPTER 839.—*Joint Resolution of adjournment, in order that members may attend the funeral of A. C. Gray, Esq.* WHEREAS, by the recent demise of Andrew C. Gray, Esq., the State has lost one of its most substantial and respected citizens, a gentleman distinguished alike for his public virtues and private worth, and one who, by his promotion of and official connection with several of the most important public improvements within our borders, has contributed largely towards the development and material prosperity of our Commonwealth; and whereas many members of this General Assembly will desire to attend his funeral, which takes place at New Castle on Wednesday, the 14th inst., therefore

"Be it resolved by the Senate and House of Representatives of the State of



HISTORY OF DELAWARE

[illegible]

He was true to his profession, and true in his sentiments, rarely desisting from protest. But he possessed the courage of his party and against his own inclination was bound to the Greenback sentiment. He refused to see he would have been a member of the United States Senate and U. S. Supreme in 1877.

He was born in 1815, at Mount Vernon, Virginia, the son of William Thomas Clayton, chief justice of the State, and subsequently for several terms United States Senator in Congress. His health became delicate from childhood, and he died in 1846, and in 1846 he came to the city of Wilmington, where he lived a comfortable life of thirty-seven years and was buried in the Presbyterian Church-yard there. He left three children to survive him—Robert, Thomas Clayton and Julia, all of whom are now living. Thomas being a prominent physician in Kent County and Robert a skilled draughtsman at Annapolis, De-
ssette.

ALFRED NEWCASTLE GRAY, who came to the bar in 1876, followed a long and honored career, was a native of Kent County, born May 25, 1834. His father, a man of prominence in the State, was Andrew Gray, and his mother was a daughter of Colonel John Rodgers, of Hartford County, Maryland, and sister of the Commodore John and George Rodgers, distinguished naval warriors of 1812-15. His father was a graduate of the University of Pennsylvania, and was frequently elected as a member of the General Assembly of the State. From his father, the subject of this sketch, inherited a strong taste for the classics, and a liking for mathematics. His father, having moved with a family from Kent in 1838, and settling in Mill Creek Hundred, New Castle County, the early education of Mr. Gray was received at New Castle Academy, and he went from that institution in 1851 to the University of Pennsylvania, where he graduated in 1854, and returned home with the reputation of being a first-class man. His legal studies were pursued with John C. James & Co., then at the bar, and also his cousin, E. H. Smith at New Castle.

where the remainder of his life was
 spent, and a creative practice and creative
 activity both in his profession and in the
 world throughout his life.

As a lawyer, his arguments for the construction of strong legal opposition to point of his case and advantage of present work for many years the counsel of the firm DeWitt, Catell Company, and his death was its president.

After 1864 Mr. Gray withdrew from the active practice of the law and became a prominent and successful investor in canal and railroad interests of the State. He was one of the promoters of the Delaware Canal and one of its directors from the time of its completion. He was also president of the New Castle and Town Turnpike and Railroad Company of New Castle and Wilmington from the time of its consolidation with the Philadelphia, Wilmington and Baltimore Railroad Company.

He was connected with the Farmers' Trust Co. as director as early as 1885, and in 1890 was its president nearly or quite to his death. He was also a member and president of the New York Manufacturers, one of the earliest bodies of business men in the United States.

He refused repeatedly to allow his name to be presented for candidacy for public office, and frequently urged to accept the nomination for Governor and other high positions. He was elected a citizen of New Orleans, Louisiana, and sent them in the Constitutional Convention from which, after making an able speech on the legality of the call for the convention, he withdrew.

Although not a politician, Mr. Gray was a Democrat. At the time of his death, in 1885, he was the "Nester" of the town, being the oldest member in point of age. Mr. Gray was distinguished throughout his life by the robust moral fibre of his character, his unflinching probity, his benevolence and his public spirit.

An honor, unusual in the case of a public official, was paid to him in the funeral service of the State, which was in session at the time of his death. It was a fitting manner and respect with which Mr. C. was regarded by his fellow-citizens throughout the State.

The following counter-indication was received on May 13, 1980, when the news of the arrest was received:

[illegible]



Albany

Delaware in General Assembly met, That, in order to afford members an opportunity to attend the funeral, this General Assembly will adjourn on Wednesday, the 14th inst., at 10.30 o'clock a.m."

At a meeting of the Bar Association at New Castle, January 14, 1885, Judge William Whitely offered the following resolutions, which were passed unanimously:

"Resolved, That by the death of Andrew C. Gray, Esq., the bar of this county and State have lost a member who, by his learning in the law and faithful practice thereof, has secured the respect and esteem of all his associates, and one who, by his spotless and benevolent life, has commanded the high consideration and affectionate regard of all who knew him."

"Resolved, That Mr. Gray's life since his retirement from the bar has presented, by his careful attention and management of one of our great corporations, a grand illustration of how the clear, direct and logical mind can adapt itself to and preserve and benefit business interests."

Mr. Gray's early professional associates and rivals were James Rogers, the Reads, Black, Richard H. and James A. Bayard, the Johns (father and son), John Wales, Booth, Gilpin and Rodney. Mr. Gray was married to Elizabeth M. Schofield, of Connecticut, daughter of Frederick Schofield, Esq., and granddaughter of Major Starr, famous in the Revolution. They had five children, of whom the present well-known lawyer and United States Senator, George Gray, was the second.

Henry Stout was the son of Hon. Jacob Stout. He was admitted to the bar of Dover in 1826, and removed to Baltimore, where he practiced successfully for a number of years. He afterwards returned to Dover and died there in 1865. While in Baltimore he assisted in a codification of the laws of Maryland and was made an associate judge by a special enactment of the Legislature. His contemporaries at the bar speak of him as possessed of a remarkable legal memory. His mind was a store-house of decisions of the courts, and it is said of him, that he could readily, when questioned upon a legal point, refer from memory to numerous decisions, giving the reports in which they could be found and in many instances the page itself. Legal papers drawn by him were models of ingenuity and skill. His opinion in law was seldom ever questioned and was always held in the highest estimation by his brethren of the bar. His wife, Sophia G. Stout, and two sons, Dr. Henry W. Stout and Dr. Emanuel J. Stout, survive him.

Samuel Hackman Grubb was born the 2d day of February, 1803, and was admitted to the bar in October, 1826. Owing to ill health, he was not permitted to pursue his profession for any great length of time, although he gave every promise of a successful lawyer. Being a conscientious worker, it was only after his health completely failed him that he relinquished his practice, and what would have become a career of some prominence was prevented by his early death, at the age of twenty-seven years, on the 31st day of September, 1830.

James Latimer, a descendant of James Latimer, of Newark, and a son of Dr. Henry Latimer, of Wilmington, was a student-at-law in the office of Louis McLane, and was admitted to the bar of New Castle

County in October, 1826. He at once opened an office in Wilmington, and practiced until his death, which occurred a few years later at Pittsburgh, Pa., when on his return from New Orleans, where he had been for his health.

Ignatius T. Cooper, in his later life a minister of the Methodist Episcopal Church, son of Judge Richard Cooper, and born March 16, 1806, was a lawyer of Dover as early as 1828, having been admitted in that year, after studying with Chief Justice Thomas Clayton. In 1832 he was chosen clerk of the House of Delegates and the following year a member of that body. He abandoned the bar abruptly to take up the ministry in 1834, and labored actively at his chosen calling until 1860, when he retired and took up his residence in Camden, Del. He died recently, leaving a large family.

Charles Marim was born in Kent County, near Dover, A.D. 1804. His father, John Marim, was the owner of "Cherbourg," his country seat in St. Jones' Neck, and of a large tract in the adjoining neck, "Little Creek," called "Chipping Norton." His mother, Hannah (Stevens) Marim, was also of a Delaware family.

Charles Marim was an apt scholar, acquired an excellent education, and making choice of the legal profession, read law with Hon. John M. Clayton; after a thorough course, was admitted to the bar of Dover at the March session of the court, 1827.

He practiced law but a short time, and in 1830 removed to the farm in Little Creek Neck, which he inherited from his father. He hoped by thus engaging in a more active life to ward off the dejection of spirits,—induced by confinement to office duties,—as his frame or temper of mind was so constituted as to subject him to periods of mental depression, which took the form of hypochondria. His farm comprised a fine tract of near three hundred acres, and Mr. Marim entered enthusiastically upon its improvement. His literary and legal knowledge soon gave him a prominent position in the affairs of the county and State, and his acknowledged ability as an orator brought demands for his services on many special occasions. His public addresses were everywhere well received.

In politics Mr. Marim was an ardent Whig, represented his county several times in the Legislature, where he was instrumental above any man, except perhaps the late venerable Judge Hall, in preparing the bills and securing the legislation upon which the Delaware free-school system was founded.

On assuming office as chief magistrate in 1837, Governor Cornelius P. Comegys appointed Mr. Marim Secretary of State, and he served in that capacity and as the legal adviser of the Governor during his term of office—four years. He was the Whig candidate of Little Creek Hundred for delegate to the convention of 1852-53, to revise and amend the State Constitution, but was defeated by his Democratic opponent by a few votes.

On the assembling of the delegates in December, 1882, Mr. Marim was elected secretary of the convention by a large vote, and at the close of their labors in March, 1883, he was tendered a vote of thanks for "able, prompt and efficient services."

Mr. Marim possessed a memory wonderfully tenacious, a fund of wit and humor, and as a conversationalist was always entertaining, and, in fact, had few equals. His society was greatly enjoyed by his numerous friends. In 1832 he married Susan Blundell Emerson, sister of the late Dr. Gouverneur Emerson, and stepdaughter of the late Manlove Hayes. One son, the only issue of this marriage, died an infant, and this loss was soon followed by the death of his wife.

One of the pleasant results of this marriage was a strong mutual attachment between Mr. Marim and the relatives of his wife. Her mother and father, Mr. and Mrs. Hayes, regarded him with the same tender affection that was bestowed on their own children, and his interest in the younger members of the family existed as long as he lived.

Mr. Marim removed from "Chipping Norton" to Wilmington about 1855 and opened a law-office, but remained only a short time, his health was much broken, and he returned and purchased a house in Leipsic, six miles from Dover, where he resided until his death, which took place March 25, 1858, in the fifty-fourth year of his age.

George B. Rodney was born at Lewes, in Sussex County, in the year 1800. Having received a liberal education, he was appointed, while yet a very young man, register in Chancery and clerk of the Orphans' Court for that county. Whilst filling these positions he studied law with Hon. Peter Robinson, and was admitted to the bar in 1828. Shortly after his admission to the bar he removed to New Castle, and by his ability and diligence soon acquired there a lucrative practice. He was a gentleman of polished culture, most agreeable manners and great popularity. In 1840, when the old Whig party were casting about for competent and popular men to lead their State ticket, Mr. Rodney was placed at its head as the candidate for Representative in Congress, with Wm. B. Cooper as candidate for Governor. The result of the election demonstrated the sagacity of the convention which placed them in nomination, and was the most brilliant triumph ever achieved by the old Whig party in the State of Delaware. In 1842 Mr. Rodney was again elected to the House of Representatives. Few men, if any, ever more ably or faithfully represented this State in that body. He was an able debater, a skillful and accomplished lawyer, and in social life was most highly esteemed by those who knew him best.

His first wife having died, he afterwards married Miss Duval, of Germantown, Pa. He was a descendant of Wm. Rodney, a member of an old English family in Somersetshire, from "time whereof the memory of man runneth not to the contrary," and emigrated to this country with William Penn in 1682.

He was Penn's legal adviser, and a man of great learning and fine native ability, which has been a marked characteristic of the Rodney family in each generation down to the present time.

William T. Purnell was born in Worcester County, Md., in 1807; received an academic education; studied law in the office of Hon. John M. Clayton at Dover, and was admitted to the bar at Dover in 1828. Shortly after his admission he settled at Port Gibson, in Mississippi, where he enjoyed quite a large practice. In 1850 he was appointed by General Taylor United States consul to the port of Bahia, in Brazil, which office he filled for several years, but resigned during the administration of Mr. Fillmore, who appointed him agent for the protection of government live-oak timber lands, with headquarters at Biloxi, Miss. After the inauguration of Mr. Pierce to the Presidency, he was removed from this position, and returned to Worcester County, where he died during the War of the Rebellion, aged about sixty years.

Joseph Miller Patten, born near Dover, Del., November 20, 1799, died at Wilmington, December 11, 1887, was the son of Major John Patten, a sketch of whose life is given elsewhere. His parents having died before he was two years old, he was left to the care of an aunt who resided in Wilmington, where his early boyhood was passed. He was educated at Newark Academy (Delaware), an institution of high repute at that period, and at Lawrenceville, N. J., studied law in the office of his brother-in-law, John Wales, admitted to practice in December, 1829, and at the time of his death was the oldest member of the Delaware bar then living. He was never able, however, to enter upon the active practice of the law, being incapacitated by severe bodily afflictions from taking even a subordinate part in any of the active pursuits of life. His frail and delicate constitution required unremitting care for the preservation of his health, and just when he had passed his majority, an apparently slight difficulty of hearing rapidly grew into a total and chronic deafness, which excluded him not only from general social intercourse, but put him practically out of the race, so far as concerned a business career. He had been a diligent student, was not without a reasonable ambition, and was stirred by that best of human motives, the desire to be useful for the benefit of others. His high spirit and courage compensated, in part, for his lack of physical strength, and made him one of the most fearless of men. He was uniformly considerate of the rights of others, just, benevolent and disposed to be generous even to self-denial. The deprivation of hearing developed observation and reflection, and his judgment of individual character and conduct were remarkably accurate. His slender figure was familiar to more than two generations of the people of Wilmington. He enjoyed the friendship of a few and the respect of all who knew him. His life was prolonged to extreme old age.

John P. Brinckloe was born in the year 1809, in

Sussex County, Delaware. Having received such classical education as could be obtained in the best select schools of that day in that county, he studied law with Hon. Peter Robinson, and was admitted to practice in 1831, and settled at Georgetown. He was not a very finished speaker, owing, perhaps, to his natural diffidence,—a trait of character which is a great disadvantage to a practitioner at the bar.

In speaking of Mr. Brinckloe to the writer of this sketch, the Hon. John M. Clayton described him as a man whose excessive diffidence and keen legal acumen would never permit him to make any point of law or evidence before the court which was unworthy of their close attention and thorough consideration, and one who never failed in the careful preparation of his cases, and who, as a young practitioner, gave promise of a successful career at the bar. Mr. Brinckloe was originally in politics a Whig, but in 1838 he joined the Reform party in Sussex County, of which he became the leader. By the aid of the Democratic party, which in that year made no ticket of their own, but adopted that of the reformers, Mr. Brinckloe, who had been placed on that ticket as a candidate for the House of Representatives in the General Assembly, was elected, and he was made Speaker of the House. Not long after the close of the session of the Legislature of 1839 his health began to fail, and before another session of that body the pulmonary consumption consigned him to the grave. He died in Georgetown in 1840, and left no family to survive him.

Trusten Polk was born in Sussex County, May 29, 1811, and graduated from Yale College in 1831. He studied law at the Yale law school, and in 1835 removed to St. Louis, where he became very successful in his profession. In 1845 he was elected a member of the Convention for Revising the Constitution of Missouri, and in 1848 was a Presidential elector. In 1856 he was elected Governor, but soon after his installation resigned to accept a seat in the United States Senate, from which (being an ardent Southern sympathizer) he was expelled January 10, 1862, for disloyalty.

Saxe Gotha Laws was born in Kent County in the year 1800. He received a liberal education and studied law with Robert Frame, Esq., and was admitted to the bar at Dover in 1833. In politics he was originally a Whig, but became a Democrat in 1836, and in January, 1839, was made clerk of the Senate by the Reform party. He had very little taste for the profession of the law, but devoted most of his time to politics and mathematics and other scientific studies. There was probably no man in the State more learned in the exact sciences. He never married and in the latter years of his life became almost a recluse. He died in the summer of 1876, on his farm in Jones' Neck, after a short but very severe attack of illness.

Some time about the middle of the seventeenth century Colonel Henry Ridgely came from England and

settled in the province of Maryland. He had several children, one of whom was also named Henry, to whom was born a son named Nicholas on the 12th of February, 1694. Nicholas had several children, one of whom was baptized as Charles Greenberry, but, on attaining his majority, discarded the middle name, and wrote his name simply Charles Ridgely. He was born January 26, 1737, and was the father of Hon. Henry Moore Ridgely, who married Miss Sarah Banning, and was the father of the subject of this sketch—Charles George Ridgely, who was born at Dover on the 12th day of August, 1804. When quite a child he gave evidence of extraordinary intellectual gifts, as will be seen by the following letter addressed to him by his father whilst the latter was serving his State in Congress at Washington, which at once displays the beautiful moral character of both father and son:

"WASHINGTON, 29th November, 1812.

"MY DEAR CHARLES:

"HAVING just finished a long letter to your mother, I now sit down, although it is late in the afternoon, to answer your favour of the 23d of this month, which, with pleasure, I received and read on Thursday last.

"I am highly pleased that you read in 'Homer's Iliad' every day, and hope that you will continue to admire it more and more. It is a beautiful poem, and the more it is read and understood, the more it will be admired by every person. In truth, no person of any taste can read it but with delight. I trust that by this time, too, you have made yourself acquainted with the history of the 'Life of Homer,' who has been justly called the Prince of Poets. No doubt you have felt great desire to know something of the life and character of so famous a man. If you have not read his life, you will find a sketch of it in 'Lempriere's Dictionary,' and it can, I hope, only be necessary to tell you where you may find his life to induce you to read it. Now, my dear son, is the season with you for improvement. You should acquire habits of reading and thinking early in life. If you are ever at a loss to understand anything, inquire of your mother, and never rest till you do understand it.

"You continue still, I hope, to read every day in the Bible; that is a book that you ought never to neglect. It contains the most interesting of histories, the best system of morality, and the only Guide to everlasting happiness. It teaches a knowledge of the beginning of the world—it teaches your duty to your God, your country, your parents and your neighbours. You will, therefore, I hope, not fail to read it attentively, and, as your understanding ripens, make yourself master of it, at least as much as a man can make himself master of it.

"I am delighted to hear from your mother in every letter that you are a good boy. Nothing will give me so much pleasure as for you to continue so, and as you increase in years to increase in every virtue.

"Write to me very frequently, and tell me all the news of Dover. Is any word in this letter spelt wrong?

"Your truly affectionate father,

"H. M. RIDGELY."

The boy was not long in discovering that the word "*Iliad*" had been misspelled. It is not at all wonderful that his father should have taken both pride and pleasure in watching the intellectual development of a son who, at the tender age of eight years, should take delight in reading Homer's "*Iliad*" in the language of its author. He directed his studies himself, and at an early age he placed his boy at St. Mary's College, Baltimore, under the care of Bishop Eccleston, then president of that institution, where he graduated with the highest honor, and won from the students and faculty, by his masterly scholarship, brilliant talents, perfect deportment and beautiful disposition, their highest esteem and affection.

Having completed his course at St. Mary's, he was appointed a cadet and went to West Point, where he soon became a favorite with cadets and professors. In 1824, while he was there, General Lafayette visited

the academy, and at the dinner given in the general's honor, young Ridgely being unexpectedly called to propose a toast, instantly arose and offered: "The survivors of the American Revolution—'*Rari nantes in gurgite vasto*,' " the classical beauty of which toast evoked at the time the plaudits of the assembled guests, and attracted the notice and admiration of all the journals of the country.

Having been severely attacked with inflammatory rheumatism, which resulted in an ankylosed knee-joint, disqualifying him for military service, he resigned and came home to Dover without having fully completed his academical course. For a few years he devoted himself to general literature, and afterwards read law in his father's office, and was admitted to the bar in April, 1835. He practiced at Dover about one year, and in 1836 removed to Georgetown, Sussex County, where he at once became the favorite lawyer of the people of Sussex and the unchallenged leader of the old Whig party in that county. He had scarcely been a year there when his name appeared on the trial list of the county as the attorney on the one side or the other in almost every cause. He had, while a student, thoroughly equipped himself from the armory of common law text-books with a full panoply of legal weapons offensive and defensive, which he used with that consummate skill he had acquired under the tuition of his father, one of the very ablest lawyers of his day. To these advantages he added untiring industry in the preparation of his cases; so that he was ever ready for the "occasion sudden," which the *nisi prius* practitioner has so often to encounter. His arguments were always able, eloquent and learned, and finished, so that when his speech was made there was nothing to be added.

Mr. Ridgely married, in 1835, Mrs. Elizabeth Brinckloe, the widow of Dr. John Brinckloe, of Milford, and daughter of Jacob Biddle, Esq., by whom he had two sons, George Henry and Charles Dupont. He died at Georgetown, after a short but severe illness, on the 6th of July, 1844, in the fortieth year of his age, and was buried in the Protestant Episcopal Church-yard at that place.

The writer of this sketch knew him well; and none who knew could fail to love him. As a scholar he had no equal in the State in his day, and few, if any, since then. A thorough mathematician, he was equally thorough in the ancient languages, history and archaeology, and spoke the French and Spanish as fluently and correctly as the most accomplished citizen of Paris or Madrid. His manners bespoke him the perfectly polished and refined gentleman, but at the same time were reassuring to the most retiring and diffident. No person could come into his presence and converse with him without feeling at his ease, though in the presence of a man of wonderful endowments; nor could any person hear the sound of his musical voice without becoming an attentive listener.

Had he lived a few years longer he would no doubt have filled in the United States Senate the seat which his father had occupied with such signal ability, for he was a young man whom all his party loved next to John M. Clayton (eight years his senior), especially the young men; and the people would have demanded to know the reason why if Charles G. Ridgely had been turned down whenever he saw proper to become a candidate for Senatorial or other honors. Enemies he had none, either in his own or in the Democratic party. His character had been formed after that of his father, upon the basis of strict integrity and the highest sense of honor; and the great goodness of his heart, which he wore ever on his sleeve, was so manifest in his life and deportment among men, and beamed so brightly in his genial face, that even bad men could not fail to admire him. His death was universally lamented by the people of the State and mourned as a public calamity.

Hon. Nathaniel Barratt Smithers, LL.D., was born October 8, 1818, in Dover, Delaware, and is a son of Nathaniel Smithers and Susan Fisher Barratt. Nathaniel Smithers, his father, held the offices of prothonotary and register in Chancery of Kent County, and his grandfather, also named Nathaniel, was register of wills. The ancestors of Mr. Smithers on his father's side came into "the three lower counties upon Delaware" before the Revolution, from Kent County, Maryland, into which colony they had emigrated from England. His paternal grandmother was Esther Beauchamp. His mother was the daughter of Dr. Elijah Barratt, of Camden, whose wife was Margaret Fisher. Dr. Barratt was of high repute as a physician. He was the son of Philip Barratt, who resided near Frederica, and owned the tract of land on which Barratt's Chapel was built, and in acknowledgment of whose liberality it was named. Andrew Barratt, another son of Philip, was one of the judges of the State, and was a member of the convention which ordained the State Constitution of 1792. The maternal grandmother of Mr. Smithers was Margaret, the daughter of Edward Fisher and Susannah Bowman, and through her father, lineally descended from John Fisher, who came from England with William Penn in 1682. He settled at Lewes, and his son Thomas, from whom the subject of this sketch is descended, married Margery Maud, the daughter of Joshua Maud, of Yorkshire. They were of the persuasion of Friends, and many of their descendants still adhere to and maintain its distinctive habits and principles.

The first school which Mr. Smithers attended in his youth was at Dover, taught by Ezra Scovell. When he was eleven years old his father moved to Bohemia Manor, in Cecil County, Md., and the son a little while after was placed in West Nottingham Academy, then under the general direction of Rev. James Magraw. In the spring of 1834, he entered Lafayette College, at Easton, Pa., under the presidency of Rev. George Junkin, and was graduated in 1836.



A. J. B. Swindell

[illegible]

Mr. B. gave in 1887, Mrs. E. South Bell, the widow of the father of Mr. and mother of John Bell, Esq., of Birmingham, was sent to the Army and Navy Club, and died at age 72, with other ailments but several years, on the 20th of July, 1884, in the fourth year of his age and was buried in the Groves and Chapel of Our Lady of Mount Carmel.

The writer of this letter knew how to write, and none was known could better to have done. As a writer for the Government in the State in his day, and how, if any other man. A thorough mathematician, he was equally thorough in the other natural sciences, as well as in general, and spoke the French and Spanish as fluently and correctly as the most accomplished citizens of Paris or Madrid. His manners bespoke him to be a perfectly polished man, and gentleman, not a thing of this world—singing to the most refined taste of the age, and a consummate musician, and a perfect dancer. In conversation with it, as long as he lived, there was not a moment of a moment when an opportunity was not taken to us, and we were so glad of it, that we were without being any inattentive to it.

Had he lived a few years longer he would have lived in the United States, where his father had occupied well-situated positions. He was a vigorous man when called upon by John M. Clayton, for aunts his same age, the young man, and the people were obliged to know the reason why if Clayton had been turned down whenever he saw good cause to send him for Senatorial or other honors, he had none, either in his own or in the Democratic party. His claim of had been to his father, upon the basis of strict merit, the highest sense of honor, and the great generous heart, which he wore ever on his sleeve, was the test in his life and deportment, and he was lauded so brightly in his generation, that no man could fail to admire him. His death was universally lamented by the people of the State, mourned as a public calamity.

Hon. Nathaniel Perrott Smithers, 74,
 born October 8, 1818, in Dover, Delaware, and
 son of Nathaniel Smithers and Susan Fisher. **Nathaniel Smithers**, his father, held the posi-
 tion of notary and register in Kent County,
 Maryland, and his grandfather, also in Kent
 County, was register of wills. The family came
 on his mother's side, some into the country
 upon the second* before the Revolution, from
 Kent County, Maryland, into which county he
 emigrated from England. His mother, Susan,
 was Elizabeth's daughter. His mother was
 of Dr. Litch Burritt, of Camden, whose wife
 was a great fisher. Dr. Perrott was of high social posi-
 tion. He was the son of Philip Fisher, who
 lived near Frederick, and was of the family of Dr. Litch
 Burritt's father, who was a member of the
 convention of whose fathers it was a member.
 Burritt, another son of Philip, was a mem-
 ber of the State, and was a member of the
 convention which ordained the State Con-
 stitution of 1792. The maternal grandmother
Smithers was Margaret, the daughter of
 Fisher and Susanna Bowman, his
 father, lineally descended from
 came from England with William Penn, and
 settled at Lees, and his son Thomas was the
 subject of the settlement of the
 March the daughter of John Smithers.
 They were of the persuasion of Unitarians,
 their descendants still adhere to
 tive tenets and principles.



N. B. Smithers

He then entered the law school of Judge Reed at Carlisle, Pa. By the rule regulating the admission of attorneys, a student who was a college graduate was required to study only two years. On account of his youth, and because money was desirable, Mr. Smithers spent one year in teaching a classical school at Snow Hill, Md., after which he resumed his professional studies, and in 1840 was admitted to the bar of Cumberland County, Pa.

In 1841 he returned to Dover, and began the practice of law. Having taken advantage of the excellent opportunities offered him in school and college, the education and training there acquired were of great value to him when he entered upon his profession. As a young lawyer he diligently continued his legal studies.

In politics, Mr. Smithers was a Whig; his ancestors were Federalists and Whigs. In 1844 he was tendered the nomination as Representative in Congress by the Whig party. He declined this offer, not deeming it wise to be diverted from his profession. At the session of the State Legislature in 1845 he was elected clerk of the House of Representatives, and again to the same position in 1847. In 1848 he was chosen a delegate to the Whig National Convention, which met in Philadelphia, and there voted for Scott and Fillmore. In the State Convention of the same year, which was held at Lewes, he was again tendered the Congressional nomination, but, as before, declined the offer. Soon afterwards events occurred which placed him in a position apparently antagonistic to the party from which these repeated offers had come. At the session of the General Assembly of 1847 two measures were proposed, with both of which he was in perfect accord—one for the gradual abolition of slavery, which passed the House, but was defeated in the Senate by the vote of the Speaker; the other providing for submitting the question of granting licenses for the sale of intoxicating liquors to the decision of the voters of the several counties, and which would now be termed a local option law. This bill became a statute, and at an election held throughout the State, the county of New Castle voted in favor of no license—the other two counties giving adverse majorities. The validity of the act was assailed in the courts. Mr. Smithers assisted in its defense, but the Court of Errors and Appeals decided that it was a delegation of legislative power, and therefore unconstitutional. At the next election the Whig party, as usual, was successful; but its representatives in the General Assembly not only determined not to consider these great questions, but retrograded from the action of the previous Legislature by passing enactments still further restrictive of the rights of negroes, and peremptorily refused to legislate even in restriction of the sale of intoxicating liquors. This was too much for his patience. In conjunction with others, who were of like mind, a third party was organized. Into this organization he entered heartily. The first result was the

defeat of the Whig party, which had been in control of the State for twenty years. In the nation that party was in a state of collapse. The Know-Nothing organization arose on its ruins. Into this secret association he declined to enter, but subsequently cooperated with the American party. In 1854 this party carried the State, and in 1855, a prohibitory law drafted by Mr. Smithers, was enacted. It was subjected to a legal contest, and he took part among its defenders. At the May term, 1856, in New Castle County, the court adjudged it to be constitutional and valid. Great events were hastening, which absorbed all minor considerations. The struggle of 1860 was impending. There was but one place for him, and unhesitatingly he cast his lot with the advocates of freedom, and was sent as a delegate to the Chicago Convention, and as chairman of the delegation cast its vote, first for Edward Bates and afterwards for Lincoln. He promised that at the election there would be fifteen hundred Republican voters in Delaware. After an open and unflinching canvass this promise was redeemed by a vote of about four thousand; and it was gratifying that the largest gain was in Kent and Sussex Counties. Mr. George P. Fisher, who received the united suffrages of the Bell and Lincoln voters, in about equal proportions, was elected Representative in Congress. Very soon the supporters of Mr. Bell generally coalesced with the Republicans, and in 1862 William Cannon was elected Governor. He had been a staunch Democrat, but in the peril of the Union he parted from his political associates. He offered Mr. Smithers the appointment of Secretary of State, and at his earnest solicitation, with the assurance that his administration would be in thorough accord with the national government, he accepted the tender. Though there was a Republican Governor, William Temple had been chosen by the Democratic party as Representative in Congress. He died before taking his seat. A special election became necessary, and in November, 1863, Mr. Smithers was elected to fill the vacancy, and in December took his seat in the Thirty-eighth Congress. He was placed on the Committee of Elections and the Special Committee of Reconstruction. The former committee was very important at that juncture of affairs, and was exceptionally strongly constituted. In the anomalous condition of things, many novel questions of the most delicate nature came under its cognizance. Representatives from Southern constituencies, and in some instances without constituents, were pressing for admission, and political considerations were urgent to show the result of victorious arms by the evidence of rehabilitated States.

By far the most interesting questions coming from the committee were involved in the consideration of the credentials of representatives from Louisiana and Arkansas. It was well understood that there was a desire in very high places that these representatives should be admitted. It fell to his lot to present

the views of the minority, and in discussing the matter he argued that there was no such condition of affairs in those States as to justify the recognition of representatives; that the only effective mode of restoration was to take permanent occupancy of the territory, and give such assurance of protection as would enable the people to rest secure in their demonstrations of fidelity. That this was not to be done by the creation or recognition of improvised and impotent civil governments, but by the steady advance of the army bringing the inhabitants under permanent control. The claimants were not admitted. In its conclusions, Mr. Smithers was sometimes with the majority and sometimes with the minority of the committee, but in every instance the result at which he had arrived was sustained by the House.

The Committee on Reconstruction, as it was commonly called, was necessarily in a great degree a sinecure. The time had not arrived for more than theoretical discussion. All practical questions presented by the subject grew out of the admission of members, and these belonged to the Committee on Elections. Still the committee was raised, and by tacit consent the matters contemplated by it were left to the Representatives from the border slave States. The committee never formally met, but Davis, of Maryland, prepared a bill, which he placed in Mr. Smithers' hands with the request that he should alter it as he thought proper. He deemed the whole matter of small moment, practically, but, in accordance with the request, did revise the bill, making some changes. In the unprecedented state of affairs there were various theories in relation to the status of the seceded States. It was the opinion of Mr. Smithers that the people of these States, by their revolutionary acts, had disorganized their political societies, and inasmuch as there could be no representation in Congress unless there was an organized State, under the National Constitution, and republican in form, that the judgment of Congress was necessary to determine whether such condition existed, and that no other power was competent to pass upon the question; and he further held that while the people of these States might abrogate their own governments, they could not change their relation of allegiance to the United States, but that her rights of jurisdiction and sovereignty over them as individuals remained, legally, unimpaired. Further than as embodying and enforcing this doctrine, he considered the measure as of little importance. The bill passed both Houses at a late period of the Congress, but the President quietly pocketed it. This created bad feeling with some few of its advocates, and Messrs. Wade and Davis joined in a paper containing a somewhat acrimonious arraignment of Mr. Lincoln.

Upon at least one occasion it was his fortune to succeed in a matter which the administration deemed important. The War Department was hindered in the recruiting service by the privilege of the relief from draft by the payment of commutation money.

This feature of the law the government wished to be abolished, and the Military Committee of the House had presented several bills, which had successively been voted down. While the matter was pending Mr. Smithers hurriedly drew and offered an amendment effecting the desired object. It was defeated at that time by one vote, but the next day, upon reconsideration, it passed. It was necessarily imperfect in its details, but his only care was to get it through the House, as it was known that there was little doubt of its passage by the Senate. After being slightly modified by a committee of conference, it became the law. Mr. Smithers was warmly thanked by Mr. Stanton for his action in the matter.

In 1864 the National Convention of the Republican party was held in Baltimore, and Mr. Smithers was chairman of the Delaware delegation. His vote was for Lincoln, but for the second place he voted for Daniel S. Dickinson, not being affected by the glamour of Southern loyalty which resulted in the nomination of Andrew Johnson. He was continued on the National Committee, and by it chosen a member of its Executive Committee. But one objection to his course was made by any of his party friends at home. A bill was introduced repealing all fugitive slave laws. In the condition of things he considered this measure not only to be devoid of all practical utility, but, in itself, wrong in principle. He was perfectly willing to vote for the repeal of all laws subsequent to the one first enacted, and with which everybody was satisfied until the pro-slavery crusade was inaugurated. This was not far enough, and of all his party associates he voted alone against the bill. This act caused some comment, and a few endeavored to use it against him. The attempt failed. He was again nominated, but the combined influence of disloyalty, negro equality and the draft-wheel was too much. He led his ticket, but was defeated.

In the ensuing session the consideration of the Constitutional Amendment, abolishing slavery, which had theretofore failed, was resumed, and it is hardly necessary to say that he voted for it.

In the course of this session it again happened that he was in opposition. With some others, he had become tired of military commissions organized to convict. The war was really ended, and they believed the time had come to return to the administration of justice through the usual methods of peace. An appropriation bill was pending, and an amendment was offered providing for the restriction of such abnormal tribunals. The majority of the Republicans declined to accede, but the friends of the amendment were determined, and the whole bill failed.

With this session his official career came to an end, and as he had entered upon it only from a sense of duty, he quitted it without regret; for, however pleasant may have been his associations, there were many things irksome in the manner of life, and besides, personal and domestic considerations had become of paramount importance. When, therefore, he was re-

quested to name the position which he would be pleased to have, he replied without hesitation that nothing of the kind could compensate for the enjoyment of home and the quiet pursuit of his profession.

In 1868 he was a delegate to the National Convention which nominated Grant and Colfax, and again in 1880, as chairman of the delegation, cast its vote on every ballot for Mr. Blaine. Though it was manifest that he could not be nominated, Delaware came early on the roll, and her delegation was numerically too small to effect a change of direction. To have wavered would have shown apparent demoralization, and this was only justified to be risked by a State sufficiently large to control the current. Indiana broke and turned the column without a stampede.

Mr. Smithers has thus filled an important and influential position in the politics of his native State and of the nation. While he has been a devoted advocate of the principles of the Republican party, he has always enjoyed in the highest degree the respect of his political opponents, who are ever ready to attest the conscientiousness of his motives and the integrity of his purpose. Since his retirement from his position in Congress he has been actively engaged in the practice of law, and for a quarter of a century has occupied a foremost place in the bar of his native State. He is endowed with strong intellectual powers. His perception is clear, his judgment good and his memory remarkable. Constant study and careful investigation have brought many valuable contributions to his well-trained mind, which is peculiarly adapted to the legal profession. His capacity for quick, intense and accurate thought is striking and unusual, and he can perceive and grasp the controlling points of a group of complicated facts and determine at once those upon which his case turns. He is a quick and accurate judge of character, ready and skillful in the examination of witnesses, eloquent, persuasive and convincing in addressing a jury or in argument before a court. One of his strong characteristics is the thorough mastery of any subject which he handles, arranging the facts and presenting them with clearness of conception and force of logic, so as to carry great weight and influence. His rare ability as a lawyer is universally recognized throughout his native State, and in other States where his practice extends. Amid the pressure of his professional duties he has found recreation in classical literature, and translated quite a number of Latin hymns—among them *Dies Irae*—which are noted for the careful preservation of the measure and spirit of their authors, as well as the elegance of the translation. The honorary title of Doctor of Laws was conferred upon him by his *alma mater*.

In addition to his employment in professional pursuits, he is president of the First National Bank of Dover, and a member of the Board of Education of Dover public schools.

Mr. Smithers has been twice married. His first

wife was Mary E., daughter of Joseph Smithers (a half-brother of his father), and Sally Ann, the daughter of Enoch Joyce. By this marriage there were four children, two of whom died in infancy, and a daughter, Sally Joyce, who died in 1875, in her twentieth year, and a son, Nathaniel B. Smithers, Jr., who is a member of the bar in Dover, and who married Annie Louise Moore, daughter of David W. Moore and Annie Giles, of Laurel, in Sussex County. By this marriage there is issue a son, N. B. Smithers. His second wife is Mary, daughter of William Townsend and Elizabeth Barratt, of Frederica, the latter the daughter of John Barratt and granddaughter of Andrew Barratt.

John Fisher, the first ancestor of Hon. George P. Fisher, the subject of this sketch, came to Lewes in 1682. He had two sons, John and Thomas. John had a son John and the latter a son Jabez, whose son, General Thomas Fisher, was the father of Hon. George P. Fisher. The first Thomas Fisher is the first of the line from whom descended Dr. James Fisher, of Camden, the father of John M. Clayton's wife. General Thomas Fisher was a prominent man in both Kent and Sussex Counties, and was elected sheriff of both these counties twice, the only case of the kind in the State. He moved from Lewes to Milford, on the Kent County side, in 1815. He afterwards moved near Frederica, on the farm upon which is Barratt's Chapel. After the expiration of his term as sheriff in Kent County he removed to a farm near Dover, that is still owned by Hon. George P. Fisher. General Thomas Fisher was married three times, his third wife being Nancy, the daughter of Robert and Sally Owens, of Sussex County. Nancy Owens was one of the leading spirits of the early Methodists on the Peninsula. The Fishers were all Friends, prior to General Fisher, who was an Episcopalian. From this third marriage there was one son, the subject of this sketch, who was born in Milford, October 13, 1817. He attended the schools of the vicinity until his seventeenth year, when he was sent to St. Mary's College, Baltimore, Md. Remaining here but a year, he entered the sophomore class of Dickinson College, from which he graduated in 1838. After his graduation he came to Dover, and entered upon the study of law with the Hon. John M. Clayton, at the same time teaching a private school over his preceptor's office. He was admitted to the bar April, 1841, at Georgetown, and opened an office in Dover. His ability was soon known, and he quickly surrounded himself with a large and paying clientage. The same day that he was admitted John R. McFee, of Georgetown, was admitted, making these gentlemen the oldest attorneys on record in the State. Hon. N. B. Smithers was admitted in Pennsylvania in 1840, but two weeks after Messrs. Fisher and McFee in this State.

When President Taylor selected Hon. John M. Clayton Secretary of State, Mr. Fisher first entered public life by becoming Clayton's confidential clerk.

He attracted considerable attention in Washington, and President Taylor appointed him to proceed to Brazil and adjudicate certain claims held by the citizens of this country against Brazil. This work he performed and returning home in 1852, received the warm commendation of Hon. Elisha Whittlesey for the excellence of his work. He resumed the practice of law in Dover, and in 1855 was appointed by Governor P. F. Causey attorney-general of the State for five years, at the end of which time he was made the candidate of both wings of the "People's Party" for Congress and was elected at the ensuing election by two hundred and forty-seven majority. He was renominated by the Republicans in 1862, but failed of an election. Upon the close of his Congressional term his course had attracted the attention of President Lincoln, and March, 1863, without any previous intimation, he received the appointment of associate justice of the Supreme Court of the District of Columbia. In the year 1870 he resigned this position for that of United States district attorney for the District of Columbia, which was tendered him by President Grant. He continued in this position until the year 1875, conducting the business of the office with signal ability. He then returned to Dover and has since continued to practice law there with his old-time ability, and enjoys, for one who has been so outspoken in Delaware politics, a large circle of friends of both parties. The "Rebellion History of the State" is part of Judge Fisher's life. To him, in a great measure, was due the fact that Delaware sent her quota for the defense of the Constitution and laws. Upon the organization of the First Delaware Cavalry he was made colonel, but resigned to become district judge at the solicitation of President Lincoln, and was the latter's confidential friend and adviser in relation to Delaware.

In 1840 he married Miss Eliza A., daughter of Hon. and Rev. T. P. McColley, of Milford, Del., and of Hettie (Smith) McColley. Truston Polk McColley was the son of John McColley, who was the son of Robert Watson McColley, who emigrated to this country from Scotland in 1830.

William P. Chandler was a native of Brandywine Hundred, near the Delaware line. He studied law under the direction of James A. Bayard, and was admitted to the bar of Sussex County in 1841, settled at Wilmington and practiced law for twelve years, and also engaged in the business with Caleb Johnson in managing the *Delaware Gazette*, which he continued for several years, and later settled in Philadelphia, where he died about 1883.

John R. McFee, of Georgetown, was born in Philadelphia, July 26, 1816, graduated at Jefferson College, Pennsylvania, studied law in the office of John M. Clayton and was admitted to the bar of Sussex County April 14, 1841, and began practice in Georgetown, where he continues. He was clerk of the House of Representatives of Delaware in 1843, a member and

Speaker of the House in 1853, and in 1879 was a member of the Insurance Commission.

John C. Patterson, of Wilmington, was born in that city October 24, 1815, his father and grandfather, John and Robert, having located there in 1793, upon their immigration from Ireland. Mr. Patterson graduated from Nassau Hall, Princeton, with the degree of Bachelor of Arts in 1835. After following various occupations for several years he began the study of law with Edward W. Gilpin, then attorney-general of the State, and afterwards chief justice, and in 1844 was admitted to practice in Georgetown, whither he had accompanied his preceptor, and soon after was admitted at New Castle as a solicitor in the Courts of Chancery. From the time of his admission he has practiced continuously in the courts of the State, residing in Wilmington.

He was city solicitor for Wilmington from 1865 to 1870, and was appointed, by President Hayes, United States district attorney for Delaware on March 27, 1880.

Daniel R. Wolfe was born in Christiana Hundred September 9, 1821. He moved to New Castle in 1836, later studied law with the Hon. Andrew C. Gray, and was admitted to the bar November 19, 1845, and began the practice of law in New Castle, which he continued until his death, April 18, 1859.

Alexander T. Gray, a son of Andrew Gray, and brother of Hon. Andrew C. Gray, was born near Newark in 1819. He was educated at Newark Academy, studied law under the direction of Judge Upshur, of Virginia, was admitted to the bar of New Castle County November 26, 1845, practiced in the State but a short time, and removed to Wisconsin, and was the first Secretary of State after Wisconsin was admitted to the Union. In later years he removed to Washington, and was in the office of the Attorney-General, and died in that city in the latter part of 1886.

The eldest son of James A. Bayard was James A. Bayard, Jr., and brother of Hon. Thomas F. Bayard. He was born in Philadelphia, January 10, 1825, studied law under the direction of his father, and was admitted to the bar in Sussex County, November, 1845, practiced law in Georgetown a short time, moved to Wilmington, entered into partnership with his father and developed talents of great ability. He was attacked with typhoid fever, and after a short illness died July 17, 1848.

George C. Gordon, a son of John and Ann (Sharp) Gordon, was born in Wilmington, February 9, 1825. One of his maternal ancestors was Peter Frangberg, one of the Swedes who early settled on the Delaware, and is buried in front of the altar in the Old Swedes' Church. George C. Gordon studied law under the direction of Judge E. W. Gilpin, and was admitted to the bar of New Castle County, May 10, 1847, and opened an office at once in Wilmington, and soon took a high rank among the members of the bar as a jury lawyer, and for many years was a



*Your very
truly*

[illegible]

In 1806 he married Mary (Aunt) daughter of Hon. and Rev. L. P. Moulton, Minister, D.C., and of Hingham. (See Moulton's History of Hingham.) Mary was the son of John Moulton, who was the son of Robert Wilson Moulton, who emigrated to this country from Scotland in 1806.

William P. C. Porter was a native of Bristol, where Huntley, senior, resided, when born. He studied law under the direction of James A. Fitch, and was admitted to the bar at Salem, Conn., in 1848. He settled at Waterbury and practiced law for five years, then engaged in the business with the late George W. Porter, under the *Yellow Rock* title, which he continued for several years, and then with him in Portland, Me., where he remained about five years.

2. Although the transport was carried out by the company, it was a private arrangement at the expense of the British state, and not an official act of the Ministry of Transport, as is the case in the case of Sussex County Council. It is not a matter of public concern, and, while it is a matter of public concern, it is not a matter of public concern.

Speaker of the House in 1871 and 1872, was in England on Insurance Commission.

John C. Patterson, of Wilmington, a native of that city (October 24, 1815), has an English father, John, and Robert, his grandfather, who arrived upon their immigration here in 1792. Patterson graduated from Nassau Hall, New York, with the degree of Bachelor of Arts, in 1836, following various occupations for several years, began the study of law at Philadelphia, and was then attorney-general of the State, and a member of the chief justice, and in 1841 was admitted to the bar at Georgetown, whither he had been sent by his preceptor, and soon after was admitted to the bar as a solicitor in the County of St. John. At the time of his removal here, he commenced his business in the courts of the State, and has since been

He was chief collector for Williamstown in 1870, and was appointed, by President Hayes, U. S. Marshal at first, and then for Denver, in 1880.

Donald P. Allen was born in Chicago, Ill., September 9, 1884. He moved to New York City, later studied law with the Hon. J. C. McGowan and was admitted to the bar November 1, 1910. He began the practice of law in New York City, continued until his death, April 18, 1935.

Asahel T. Gray was born at New Bedford, Mass., the son of Hon. Andrew T. Gray, was admitted to the bar at New Bedford, and practiced law and acted as clerk of the Superior Court. He was admitted to the Virginia bar in 1856, and practiced law in that State, but a short time, then removed to New York, where he was the first Secretary of the State Bar Association admitted to the union. He then removed to Washington, and was in the U. S. Army, and died in that city in 1886.

The eldest son of James A. Bayard, Jr., and brother of Henry. He was born in Philadelphia, studied law at one of the colleges, and admitted to the bar in Sussex. He practiced law in Georgetown, moved to Wilmington, and was his father-in-law's close attendant. Was attacked with typhoid fever, died on July 17, 1858.

George C. Gordon, a son of John, was born in White Plains, N. Y., of his maternal family, one of the oldest and best known in this country. He was reared and brought up in the Episcopal Church, and graduated from the University of New York in 1847, and entered an office and soon took a high rank. He was a very intelligent, an



Yours very truly
Geo. P. Fisher

able and successful lawyer. He died at Wilmington, March 15, 1886.

John E. Parker was born in Milton, Kent County, studied law with Judge John W. Houston, was admitted to the bar of Sussex County in 1848, practiced at Georgetown for a time, removed to St. Louis, where he followed his profession about a year; returned to Georgetown, resumed practice and continued it until his death in 1851.

Hon. James Rush Lofland was born in Milford, Kent County, Delaware, November 27, 1823. He is the oldest son of Dr. James P. Lofland and Mary (Lowber) Lofland. His first school was the old Milford Academy at the time it was under the charge of Rev. William Backus. He remained here until he was seventeen years of age, when he entered the Delaware College, from which institution he graduated in 1844. He commenced reading law with Robert Frame, and completed his studies under Martin W. Bates, April 26, 1848. The next year he was elected clerk of the State Senate, and upon the election of delegates to the Constitutional Convention of 1852 he was chosen a delegate from Milford, and served upon the Judiciary Committee of that body. Upon the election of Governor P. F. Causey, in 1854, he was chosen his Secretary of State. In the campaign of 1860 he advocated the election of Bell and Everett, but upon the breaking out of the Civil War he vigorously supported the policy of President Lincoln. In 1862 he was appointed one of the board of visitors of the United States Military Academy and elected its secretary. Upon the formation of the First Delaware Cavalry, Mr. Lofland was elected its major. He had served in this position but a short time, however, when, in February, 1863, he accepted the appointment of paymaster of United States troops, with the rank of major, and immediately reported for duty at New Orleans, and May 3, 1863, reported to Major Bringham, paymaster-in-charge, and served until August, 1864, when he was ordered to Washington. He afterwards served in this position at Columbus, Ohio, to assist in paying off volunteers whose term of service had expired in the Army of the James and that of the Potomac and Shenandoah.

He was again ordered to New Orleans September, 1864, and was sent to Vicksburg, Mississippi, as post paymaster, where he remained ten months. Upon his return to New Orleans he was engaged in paying off the troops of Mississippi, Louisiana and Texas until 1867. While performing these duties President Lincoln had conferred upon him the brevet rank of lieutenant-colonel for faithful and meritorious services. Having a desire to resume the practice of his profession, he tendered his resignation, which was accepted, and returned to Milford and actively engaged in its practice. The next year he was sent as a delegate to the Republican National Convention at Chicago, which nominated General Grant, and was chairman of the Delaware delegates in 1872, when he was nominated a second term. His fellow-citizens were

not disposed to allow him to quietly practice law, and in 1872 he was elected a member of the Forty-first Congress, and served on the Committee of the District of Columbia. He was again renominated in 1874, but failed of an election. He was chairman of the delegations to the Republican Conventions of 1876 and 1880, and supported the nomination of James G. Blaine. He was married, May 27, 1852, to Miss Sallie B., daughter of Joseph Brown, of Philadelphia. His wife, however, was a Delawarean.

The late Col. C. Rodney Layton, of the Sussex County bar, and of the army of the United States, was born on the 10th of March, 1826. He was appointed to West Point in June, 1843, and resigned in June, 1845. In July, 1845, he entered as a law student in the office of his father, the late Caleb S. Layton, of Georgetown, and was admitted to the bar in 1848. After practicing a number of years with his father he was elected clerk of the House of Representatives of 1860-1. In response to the first call for troops he recruited, May 7, 1861, a company for three months' service in the First Delaware Regiment, serving as captain. He was afterwards made major and served as such until August 5th, when he was appointed captain in the regular army, and assigned to the Eleventh United States Infantry. He afterward served in the Sixteenth and Twentieth; he was promoted to major while in the Sixteenth and made lieutenant-colonel and assigned to the Twentieth. He saw much active service and was engaged in some of the hardest fought battles of the war, among them being Fredericksburg and Gettysburg. His health was good until 1882, when he suffered greatly from the extreme heat in the Southwest. From the Southwest he was removed, about the winter of 1883, to Fort Keogh, Montana, and this great change was also thought to have injured his health. From there he was sent to Fort Dodge, Kansas, and afterward was ordered to Fort Hays, Kansas, where he was seized with paralysis in April, 1884. He remained in command of that fort until November, 1884, when he had sick-leave, which was continued until he was retired from the army in October, 1885. During and since his sick-leave he changed his residence often with the hope of benefiting his own health and that of his family. He finally returned to Georgetown in June, 1886, and his second wife, who was a daughter of Dr. Benedict, of Philadelphia, died there in February, 1887. His first wife was a daughter of Dr. L. P. Bush, of Wilmington. The colonel died August 20, 1887, leaving four children by his second wife. He was noted for singleness and unselfishness of purpose and his career as lawyer and soldier were alike admirable and honorable.

George Read Riddle, a distinguished civil engineer and statesman and a descendant of George Read, one of the signers of the Declaration of Independence, was born in New Castle in 1817. He was educated at Delaware College, and made a study of engineering, a profession which afterwards

made him famous in locating roads and canals in Pennsylvania, Delaware, Maryland and Virginia, his last work of this kind being at Harper's Ferry. Subsequently he studied law and was admitted to the bar in 1848, during which year he was appointed deputy attorney-general of New Castle County. In 1850 he was elected to Congress from his native State and was returned for the succeeding term, serving on the Committee on Roads, as chairman of the Committee on Engraving and also on a special committee on the Peruvian Guano Question. In 1849 he served as a member of the Inter-State Commission to retrace the Mason and Dixon's line. He was a delegate to the Democratic National Conventions of 1844, '48 and '56, and in 1864 was elected United States Senator. While filling this office he died in Washington, March 29, 1867.

Victor Du Pont was born at Louviers, the family residence, in Brandywine Hundred, Delaware, May 11, 1828. He was the son of Charles Irénée Du Pont and Dorcas Montgomery, daughter of Nicholas Van Dyke, whose wedding was attended by General La Fayette during his visit to this country in 1824. Through both his mother and father he comes of a distinguished ancestry. His maternal grandfather, Nicholas Van Dyke, resided at New Castle, Delaware, was an able lawyer and eloquent advocate, and besides holding other important public positions, served as United States Senator for Delaware, as a member of the Federal party, from his election in 1817 until his death in 1826.

Senator Van Dyke was the son of Nicholas Van Dyke, who also resided at New Castle and was of Dutch descent, a lawyer of eminence, Governor of Delaware, a delegate from Delaware to the Continental Congress in 1777 and a signer of the articles of Confederation.

Charles Irénée Du Pont (Victor's father) and his brother Rear Admiral Samuel Francis Du Pont, were sons of Victor Du Pont, who, with his father, the distinguished French statesman, diplomatist, economist and author, Pierre Samuel Du Pont De Nemours, and their families, escaped from the proscription and confiscations of the French Revolution and emigrated to America in 1799, and finally settled on the Brandywine, near Wilmington, where Victor's youngest brother, Eleuthère Irénée Du Pont founded the present powder manufacturing firm of E. I. Du Pont de Nemours & Co.

Victor Du Pont (Victor's grandfather) was educated for the French diplomatic service and represented his government in this country at Charleston, South Carolina, and elsewhere.

His wife was Gabrielle Josephine de La Fitte de Pelleport, a daughter of the Marquis Gabriel Renee Louis La Fitte de Pelleport, who was of noble and ancient lineage in France.

Victor Du Pont, his grandson, has proven a worthy descendant of his distinguished ancestors. From his early youth to his mature manhood his life has given

constant evidence that he has inherited those superior qualities of mind and character which have enabled the Du Ponts and Van Dykes to take and maintain the high position which they have held in both their public and private relations. In personal appearance, in dignity of character and in courtesy of manner he is, at all times, to all persons, innately a gentleman. Always considerate, unselfish, manly and modest, his life has been laid out upon those broad and simple lines of truth, honor and conscientious sense of duty which, joined to his sound judgment and well-balanced character, have won for him a universal confidence and an affectionate regard, which are as rare as they are just.

He passed his boyhood at the family residence, Louviers, on the Brandywine, and then became a student of Delaware College at Newark, Delaware, where he was graduated. Thereupon he entered Harvard College and was graduated there in 1846. The same year he commenced the study of law under the late Chief Justice Edward W. Gilpin, in Wilmington and was admitted to the bar of Delaware in 1849, having pursued a portion of his law studies at the Harvard Law School. Since 1849 he has continuously practiced law in Wilmington, and for many years has had a law practice and professional income second to none at the Delaware bar. Although he has desired to avoid legal business which required his appearance in cases before the courts, yet his reputation for legal ability of a high order and his practical business facility have enabled him to attain a high rank in the estimation of the bar and people of Delaware. He has been, in several instances, appointed chancellor *ad litem* by the Governor.

In politics he was reared a Whig, as his father and all of the Du Pont family in this State had been, from their earliest settlement in Delaware, ardent and prominent members of that party and of the old Federal party, which preceded it.

But when the Know-Nothing party arose to practice the spirit of proscription against the oppressed of foreign lands, who, like his French ancestors, sought a refuge here, young Victor became a member of the Democratic party, to which he has continued to be zealously and consistently devoted.

He has always been exceedingly popular and influential in his party, and yet has constantly refused to accept any office of prominence or profit. On several occasions he has been urged for Governor of the State, and, in 1874, would have been unanimously nominated, and certainly elected, but for his express and unalterable declination. He was also strongly pressed to become a candidate for United States Senator, but in each instance refused because he was unwilling to incur the injury to his law practice which the Senatorial career would occasion.

The only political positions which he has ever been induced to accept were as free from such an objection as they were devoid of profit, viz: Member of the board of visitors to West Point Military Academy



Edw. P. Smith



Victor Oetling



I am truly yours
J. F. Hayward

1. The first step is to identify the problem. This involves understanding the current situation and what needs to be changed.

to rest his weary head there for a few years, and then to return to his old home.

[illegible]

At the age of two, children learn to follow. They have to learn to follow the lead of an older person, usually a parent, and in this way, they learn to follow the lead of the older person. This is the first step in learning to follow. The next step is to learn to follow the lead of a peer, and this is the second step in learning to follow. The third step is to learn to follow the lead of a group, and this is the third step in learning to follow. The fourth step is to learn to follow the lead of a community, and this is the fourth step in learning to follow. The fifth step is to learn to follow the lead of a nation, and this is the fifth step in learning to follow. The sixth step is to learn to follow the lead of the world, and this is the sixth step in learning to follow. The seventh step is to learn to follow the lead of the universe, and this is the seventh step in learning to follow. The eighth step is to learn to follow the lead of the gods, and this is the eighth step in learning to follow. The ninth step is to learn to follow the lead of the gods, and this is the ninth step in learning to follow. The tenth step is to learn to follow the lead of the gods, and this is the tenth step in learning to follow.

John A. Nicholson is a native of Sussex County, where he was born on July 15, 1894, the son of John and Mary A. Nicholson. He attended the common school of his native town, and the State Normal School at Albany, N. Y. In the year 1917 he graduated from College, from which he graduated with a majority of which year he won the highest honors. He studied Law with Mr. J. H. Smith, of the State Bar of New York. He was admitted to the practice of Law in 1920. He has appeared in court and has been known for his ability and skill in the law.

2. *Shi-tung-han*. If we
 compare the terms of the
 first term he cited with
 the corresponding terms of

of Appropriations. And he refused to deliver the message.

1. The first step is to identify the main components of the system. This includes the hardware (e.g., sensors, actuators, controllers) and the software (e.g., algorithms, data processing routines).

[illegible]

On 12 June 1998, the *Journal of the American Medical Association* published a study by the National Cancer Institute (NCI) that found that the use of tamoxifen in the treatment of breast cancer was associated with an increased risk of developing blood clots. The study was a retrospective analysis of data from the NCI's Surveillance, Epidemiology, and End Results (SEER) database, which tracks cancer incidence and mortality in the United States. The study found that women who took tamoxifen for breast cancer had a 1.5-fold increased risk of developing blood clots compared to women who did not take the drug. The risk was highest for women who took tamoxifen for more than 12 months. The study also found that the risk of blood clots was higher for women who took tamoxifen in combination with other medications, such as aspirin or warfarin. The study was a retrospective analysis of data from the NCI's Surveillance, Epidemiology, and End Results (SEER) database, which tracks cancer incidence and mortality in the United States. The study found that women who took tamoxifen for breast cancer had a 1.5-fold increased risk of developing blood clots compared to women who did not take the drug. The risk was highest for women who took tamoxifen for more than 12 months. The study also found that the risk of blood clots was higher for women who took tamoxifen in combination with other medications, such as aspirin or warfarin.

[illegible]
$$\begin{aligned}
\mathbf{E}(\mathbf{y}_i | \mathbf{X}_i) &= \mathbf{X}_i \boldsymbol{\beta} + \mathbf{X}_i \boldsymbol{\gamma} \mathbf{Z}_i + \mathbf{X}_i \boldsymbol{\delta} \mathbf{Z}_i^2 + \mathbf{X}_i \boldsymbol{\eta} \mathbf{Z}_i^3 + \mathbf{X}_i \boldsymbol{\theta} \mathbf{Z}_i^4 + \mathbf{X}_i \boldsymbol{\omega} \mathbf{Z}_i^5 + \mathbf{X}_i \boldsymbol{\nu} \mathbf{Z}_i^6 + \mathbf{X}_i \boldsymbol{\mu} \mathbf{Z}_i^7 + \mathbf{X}_i \boldsymbol{\lambda} \mathbf{Z}_i^8 + \mathbf{X}_i \boldsymbol{\kappa} \mathbf{Z}_i^9 + \mathbf{X}_i \boldsymbol{\iota} \mathbf{Z}_i^{10} \\
\mathbf{E}(\mathbf{y}_i | \mathbf{X}_i) &= \mathbf{X}_i \boldsymbol{\beta} + \mathbf{X}_i \boldsymbol{\gamma} \mathbf{Z}_i + \mathbf{X}_i \boldsymbol{\delta} \mathbf{Z}_i^2 + \mathbf{X}_i \boldsymbol{\eta} \mathbf{Z}_i^3 + \mathbf{X}_i \boldsymbol{\theta} \mathbf{Z}_i^4 + \mathbf{X}_i \boldsymbol{\omega} \mathbf{Z}_i^5 + \mathbf{X}_i \boldsymbol{\nu} \mathbf{Z}_i^6 + \mathbf{X}_i \boldsymbol{\mu} \mathbf{Z}_i^7 + \mathbf{X}_i \boldsymbol{\lambda} \mathbf{Z}_i^8 + \mathbf{X}_i \boldsymbol{\kappa} \mathbf{Z}_i^9 + \mathbf{X}_i \boldsymbol{\iota} \mathbf{Z}_i^{10} \\
\mathbf{E}(\mathbf{y}_i | \mathbf{X}_i) &= \mathbf{X}_i \boldsymbol{\beta} + \mathbf{X}_i \boldsymbol{\gamma} \mathbf{Z}_i + \mathbf{X}_i \boldsymbol{\delta} \mathbf{Z}_i^2 + \mathbf{X}_i \boldsymbol{\eta} \mathbf{Z}_i^3 + \mathbf{X}_i \boldsymbol{\theta} \mathbf{Z}_i^4 + \mathbf{X}_i \boldsymbol{\omega} \mathbf{Z}_i^5 + \mathbf{X}_i \boldsymbol{\nu} \mathbf{Z}_i^6 + \mathbf{X}_i \boldsymbol{\mu} \mathbf{Z}_i^7 + \mathbf{X}_i \boldsymbol{\lambda} \mathbf{Z}_i^8 + \mathbf{X}_i \boldsymbol{\kappa} \mathbf{Z}_i^9 + \mathbf{X}_i \boldsymbol{\iota} \mathbf{Z}_i^{10} \\
\mathbf{E}(\mathbf{y}_i | \mathbf{X}_i) &= \mathbf{X}_i \boldsymbol{\beta} + \mathbf{X}_i \boldsymbol{\gamma} \mathbf{Z}_i + \mathbf{X}_i \boldsymbol{\delta} \mathbf{Z}_i^2 + \mathbf{X}_i \boldsymbol{\eta} \mathbf{Z}_i^3 + \mathbf{X}_i \boldsymbol{\theta} \mathbf{Z}_i^4 + \mathbf{X}_i \boldsymbol{\omega} \mathbf{Z}_i^5 + \mathbf{X}_i \boldsymbol{\nu} \mathbf{Z}_i^6 + \mathbf{X}_i \boldsymbol{\mu} \mathbf{Z}_i^7 + \mathbf{X}_i \boldsymbol{\lambda} \mathbf{Z}_i^8 + \mathbf{X}_i \boldsymbol{\kappa} \mathbf{Z}_i^9 + \mathbf{X}_i \boldsymbol{\iota} \mathbf{Z}_i^{10}
\end{aligned}$$
[illegible]

1. The first group of people who are likely to be affected by the proposed project are the local residents who live in the vicinity of the project site. These residents may be affected by the project in a number of ways, including increased traffic, noise, and air pollution. It is important to identify these potential impacts and develop measures to mitigate them.



I am truly yours
T. F. Maynard

in 1860, and Presidential elector for Delaware in the McClellan campaign of 1864.

Among practical business and financial men he has long stood in high repute as a sound and sagacious adviser and successful manager. In this respect he seems to possess those marked business traits which notably characterize his family, and which they have all doubtless inherited from their eminent ancestor, Pierre Samuel Dupont De Nemours. He has been a director of the Union Bank, now Union National Bank, at Wilmington, since 1852. Since 1866 he has been its president, during which period the bank has signally prospered and its stock risen from \$25 to \$75 per share.

He has long been a director of the Farmers' Mutual Fire Insurance Company, at Wilmington, and its president since 1860. He has also been a director of the Wilmington and Reading Railroad Company, and of the Baltimore and Philadelphia Railroad Company.

In religion he is a liberal supporter of the Protestant Episcopal Church, and for more than twenty-five years has been a vestryman in Trinity Parish, Wilmington.

In behalf of all charitable objects he is at all times a liberal but unostentatious contributor, while the needy and unfortunate constantly have found him a sympathetic and generous friend.

At the age of twenty-three he married Alice Honnsfield. They have had ten children, eight of whom are now living, two of these, Victor, Jr. and Mary, being married.

Hon. John A. Nicholson is a native of Laurel, Sussex County, where he was born November 17, 1827, but passed his early childhood in Amherst and Nelson Counties, Virginia, his mother being a native of that State. In the year 1843 he entered Dickinson College, from which he graduated in 1847, in February of which year he went to Dover and entered upon the study of law with Martin W. Bates and was admitted to practice April 23, 1850. Governor Ross appointed him superintendent of the schools of Kent County for that year. The Democratic party recognizing his ability made him their candidate for the Thirty-ninth Congress in the year 1864, and succeeded in electing him. He was re-elected to the Fortieth Congress, his term expiring March 4, 1869. During his first term he served on the important Committee of Elections and the second term on the Committee of Appropriations. After the expiration of his term he returned to Dover and resumed the practice of his profession, in which he has been engaged ever since.

August 2, 1848, he was married to Miss Angelica K., daughter of John and Mary (Stout) Reed and granddaughter of Hon. Jacob Stout and great-granddaughter of Chancellor Killen.

The Hon. Thomas Francis Bayard, present Secretary of State, was admitted as an attorney of Delaware in 1851 and practiced at the bar several years,

He was the second and is the only surviving son of James A. Bayard (2d) and his wife Annie (Francis) Bayard, and was born in Wilmington October 29, 1828. An account of his ancestry has already been given in the sketch of his grandfather, and a brief biography of his father also appears in this chapter. At the age of thirteen he went to the school of Rev. Dr. Francis L. Hawks at Flushing, Long Island. During a few years when his father lived in New York young Bayard entered the mercantile house of his brother-in-law, Mr. Schermerhorn, and his business training was supplemented in the house of S. Morris Waln, in Philadelphia, where he remained until he was twenty. He then returned to Delaware, entered upon the study of the law and was admitted in 1851, assisting his father in his practice. In 1853 he was appointed United States district attorney for Delaware, but resigned the office the following year, when he became associated with his friend, William Shippen. Upon the death of Mr. Shippen, in 1858, Mr. Bayard returned to Wilmington and became deeply involved in a large practice, including, in addition to the usual lines, numerous trusts, executorships and the management of estates. He was, like his father, a strong Democrat, and though greatly interested in political affairs, took no prominent part in them until he was chosen to succeed his father in the United States Senate. His term began at noon on March 4, 1869, at the moment that his father's expired. He at once became one of the most active members of the body, and although belonging to a small minority which do little in the way of controlling legislation, he performed much useful labor upon committees and in non-political matters. In 1875 he was re-elected and in 1880 he became chairman of the Committee upon Finance and a member of the Committee on Judiciary. He was again elected to the Senate in 1881. He came before the country with great prominence as the probable Democratic candidate for the Presidency in 1880 and again in 1884, and was appointed Secretary of State by President Cleveland in March, 1885. Mr. Bayard's character and ability, as displayed in the Senate and in his capacity as Secretary, are too well known to make an extended analysis of them necessary, even if it were appropriate, in this connection. He was married, in October, 1856, to Louisa, daughter of Josiah Lee, of Baltimore, and has three sons and six daughters living.

Alfred P. Robinson (1st), late of Sussex County, was the youngest son of Judge Peter and Arcada (Robinson) Robinson, graduated from Delaware College and was admitted to the bar of his native county in 1850, and practiced continuously from that time to his death, in 1866, with the exception of a period of four years dating from 1851, when he was Secretary of State. He married Clara C., daughter of Alexander Porter, of Wilmington, and they had three children,—George J., Thomas and Alfred P., Jr., of whom a notice appears in this chapter.

Enoch Joyce Smithers was born in Dover, Dela-

ware, July 14, 1828. His father was Joseph Smithers, and his mother, Sarah Ann Joyce. The father of Joseph was Nathaniel Smithers, the elder, who was the grandfather of Hon. Nathaniel B. Smithers, of Dover.

Joseph Smithers, the father of Enoch, was a man of the highest character for integrity and of great intelligence.

After receiving a fair education at home, the subject of this sketch was sent to Dickinson College. He remained there until his senior year, when he left, and entered the office of the late Chief Justice Gilpin as a student-at-law, and was admitted to the bar in November, 1851. For a time he practiced his profession, but having a good estate by inheritance and not being compelled by necessity to work for a livelihood, he diverged into politics and the management of his lands.

When the war broke out, in 1861, and emergency men were called, he entered the three months' service as first lieutenant of Company D, of which James Green was captain, and when the First Regiment of Delaware Volunteers was raised, he re-enlisted and was made captain of the company.

With the regiment he went to Fortress Monroe, and into the camp called Camp Hamilton. In the fall of 1861 he was appointed by President Lincoln consul at Scio, a new consulate deemed advisable to protect the commercial interest in the Mediterranean. While there he was married. Afterwards, when the post was no longer necessary, he was appointed consul to Smyrna, Turkey.

In 1867 he returned home with his family, and for a year held a position in the Treasury Department at Washington. Upon relinquishing this he was again sent back to Smyrna. From this post he was appointed consul to Chin Kiang, in China. Subsequently he was detailed to take charge of Shanghai.

The American minister having left China temporarily, Mr. Smithers was placed in charge of affairs at Tientsin, which is the diplomatic centre and the residence of the Prime Minister of China, with whom, of course, he was in constant intercourse.

Subsequently, some time about March, 1887, Mr. Smithers received the appointment by President Cleveland of consul to Tientsin, which post he now occupies.

In all his official conduct Mr. Smithers has displayed ability and integrity, of which it is sufficient proof that he has been so long retained under so many successive administrations.

Consuls in the East are not mere commercial agents, but are vested with the exercise of high judicial functions, and at important points are largely employed about diplomatic measures. Mr. Smithers' course in the discharge of these functions has met the approval of his government, and his record is not only creditable, but is exceptionally high.

Hanson Harman was born on the 12th day of October, 1825. He entered Delaware College, and after

a very satisfactory examination he went to Yale College, from where he graduated, after which he read law under the late Sheward Johnson, who was a man of legal attainments and force at the bar, and was admitted to the bar in May, 1852. Mr. Harman was clerk, Councilman, alderman and city solicitor of the city of Wilmington during the same year, 1863, and afterwards became clerk of the United States District Court for the district of Delaware, as well as United States commissioner for Delaware, which position he held until the death of Hon. Willard Hall then judge of the District Court.

Mr. Harman died in the city of Wilmington on the 13th day of November, 1881. From the fact of his having held so many public offices, and his genial disposition, he became widely known throughout the State in his profession.

James R. Booth is a son of Judge James Booth the younger. He was born in New Castle in June, 1828, studied law under the direction of his father, and was admitted to the bar of New Castle County, in May, 1852, practiced for a time in New Castle and removed to Maryland.

Charles Mason Cullen was born in Georgetown, June 14, 1828, where he has always resided, and was the son of Hon. Elisha D. and Margaret (West) Cullen. He graduated from Yale in 1848, studied in his father's office, and was admitted in October, 1852, when he became his father's partner, and remained such until the death of the latter in 1862, since which time he has carried on alone a large general practice. He married Miss C. Virginia, daughter of Bishop Waugh, of the Methodist Episcopal Church.

William Sinclair McCaulley, son of William and Sarah L. S. McCaulley, was born in Wilmington on the 18th day of December, 1832. He entered St. Mary's College in 1847 and was graduated there in 1850. He immediately commenced reading law and at the November term, 1853, of the Superior Court, upon motion of the late Chief Justice Gilpin, under whom he had studied, he was admitted to practice. The order made by the court was, that his admission should take effect on the 19th of December following, because not until then would he reach his majority.

In 1862 Mr. McCaulley was appointed deputy attorney-general for the State, and continued in the office for two years.

He was the candidate of the Democratic party for mayor of Wilmington in 1868 and again in 1870, but his party being in the minority, he was defeated on both occasions.

In 1878 he was appointed adjutant-general, which position he retained until his death.

Apart from holding the above-named official positions, Mr. McCaulley sat as chancellor *ad litem* in many important litigated cases, and was for one term city solicitor for the city of Wilmington.

Mr. McCaulley's whole career was conspicuously creditable. As a lawyer he was one of the ablest of the State. Quick in grasping the facts of a case, he

was at once ready to apply the law thereto. He can be said to have possessed a superior judicial mind. A man of strict integrity and with a high appreciation of the character of his profession, he had the keenest sense of honor in his relations to the bench as well as to his clients.

His attainments were not confined to the law, but he was a man of wide information and general learning. A most genial companion, witty, generous and kind, he attracted to himself an extended acquaintance and a large circle of warm friends.

Physically Mr. McCaulley was not of the strongest, and he became unable to stand the exactions and cares of a lawyer's life, and in the midst of his professional success he died, in Wilmington on Monday, December 30, 1878, leaving the bright promises of his early life unfulfilled and losing to the bar one of its most valued members.

George Plunkett was born in New York City, February 11, 1836. Coming to Wilmington, he received his education at St. Mary's College, and then commenced the study of law with the late Daniel M. Bates, afterwards chancellor of the State. He was admitted to the bar in May, 1859, but shortly afterwards removed to St. Paul, Minnesota, and there connected himself with the law-firm of Becker & Hollingstand. He remained at St. Paul until the outbreak of the Rebellion, when he returned to Delaware and entered the Second Delaware Regiment, as its quartermaster. Mr. Plunkett had not been in the army more than three months when he was appointed a paymaster in the navy, and ordered to the United States Steamer "Hartford," then commanded by Commodore Farragut, and participated in the most memorable battles before the capture of New Orleans.

At the time of the surrender of New Orleans the mayor of the city declined to accept the surrender papers previously drafted, and Mr. Plunkett was designated by Commodore Farragut to put them in proper shape, which he did, and the mayor then accepted them as being legally drawn. Mr. Plunkett was afterwards ordered to duty in front of Charleston under Admiral Du Pont, as paymaster of the squadron, and next reported for duty to Admiral Rowan, in the fight before Fort Fisher. After this engagement Mr. Plunkett was ordered to special duty at Washington, but a short time subsequent, however, he accepted the position of paymaster to the South American squadron. Upon his return from the cruise he was sent to New York, and while there resigned from the navy. His resignation grew out of some misunderstanding between himself and the paymaster-general. He was afterwards, by an act of Congress, restored to the service and assumed the duties of disbursing officer at Boston.

From the time of Mr. Plunkett's appointment as an officer of the navy to his death, through the many important positions held by him, he rendered valuable services to the government. He died on the 24th day of October, 1874.

Edward Ridgely, son of Henry Moore Ridgely, was born in Dover, January 30, 1831, and was educated and prepared for college under the care of private tutors and graduated from St. Mary's College, Wilmington, in 1850, entering the same year as a student-at-law with Hon. Martin W. Bates, and was admitted to practice April 20, 1853. While engaged in the study of his profession Mr. Ridgely attended Yale Law School for one year. From the time of his admission to the bar he has taken the front rank in his profession and has been engaged in the majority of the leading cases in his county. So much has his ability been esteemed, that twice when the chancellor of the State has declined to sit in cases in which he was interested, Mr. Ridgely has been appointed chancellor *ad litem* to hear them. He has always shunned public office, but Governor Burton, upon his inauguration, appointed him Secretary of State. He has been a member of the Board of Education in Dover since its formation and its president since the death of the Hon. Charles Brown.

Jacob Moore, late of Georgetown, Sussex County, was born at Laurel on November 21, 1829. His parents were Louthier Taylor Moore, a merchant in Laurel for nearly half a century, and Eliza S., daughter of Isaac Wootten. The mother died in 1863, aged fifty-eight years, and out of twelve children but three lived to maturity, the oldest of these being Jacob.

The latter entered Union College, Schenectady, in 1846, and was graduated from that institution with the degree of Bachelor of Arts, in 1850. He subsequently entered upon the study of law in the office of Judge Edward Wootten, of Georgetown, and after three years of careful preparation for the bar was duly admitted to practice in April, 1853. He at once applied himself to his work with great industry and determination, and soon met with success, earning a reputation as a skillful and able practitioner and a discreet and careful counselor, which brought him business from all over the State, and from the eastern counties of Maryland, and insured him a place among the foremost lawyers of Delaware. He was a hard student, often spending whole nights looking up some abstruse question of law, and went into court as well equipped in the legal aspects of his cause as he was with those natural endowments of personal magnetism and oratorical power which insure success before the jury.

He was identified actively with the Democratic party until the firing upon Fort Sumter, when feeling that his party was in the wrong on the great questions of the day, he affiliated with the Republican party, with which he subsequently acted. He made strong Union speeches throughout the State, and contributed largely by his personal zeal and magnetism in holding the State in line and in furnishing her quota of men to the army. His abandonment of the Democratic party was a matter of principle, and by which he sacrificed many positions of value and honor

which were within his reach in that party. In connection with William (afterwards Governor) Cannon, he commenced the publication of a weekly paper called *The Union*, in Georgetown, doing most of the editorial work himself, and conferring a great benefit upon the Republican cause in Southern Delaware. In the summer of 1862 he was a delegate to the State Republican Convention, and, by his oratorical skill and forcible presentation of his cause, succeeded in having William Cannon nominated for Governor in the face of considerable opposition—and he was subsequently elected, being one of the few Republican Governors which the State has had.

In 1863 the Sixth Delaware Regiment was organized in Sussex County, largely through Mr. Moore's efforts. He joined it as a private, but was soon elected lieutenant-colonel. The regiment was assigned to guard duty on the line of the Philadelphia, Wilmington and Baltimore Railroad, and later was stationed at Fort Delaware. Colonel Moore was mustered out at the expiration of his term of service, and on September 3, 1864, was commissioned attorney-general of Delaware for the term of five years. An ancestor of his, Hon. Jacob Moore, had previously held the same important office in 1774, nearly one hundred years before. He filled the office with such ability and fidelity that his retirement at the close of his term was a matter of general regret to the people of the State, and especially to the bench and bar. Chief Justice Gilpin, who had also held the office of attorney-general, said of him: "He has made a good officer and has tried more important capital cases than were ever tried by any other attorney-general in the State; and during his term of office the law of murder has been firmly settled."

After the close of his term he resumed his practice at Georgetown, and became the attorney of the Junction and Breakwater, and Breakwater and Frankford Railroad Companies, for the Pennsylvania Railroad, the Old Dominion Steamship Company of New York, and other corporations. He remained in successful practice until his sudden demise, December 13, 1886. He was possessed of an affable and kindly temperament, which made him many friends, and by his sterling integrity and high moral principle commanded the respect of all. He became a member of the Masonic fraternity in 1854, and served as Deputy Grand Master, and Deputy High Priest of the State.

He had no aspirations for office in the later years of his life, though often solicited to run, but devoted himself entirely to his professional duties, and to the charms of the family circle. He married, on October 23, 1860, Miss Eliza R., daughter of John D. Rodney, of Georgetown, and had five children, of whom only two survived his death,—Charles Louthier, a popular and promising young attorney of Georgetown, and Miss Eleanor Moore. To his widow and children he left a handsome estate, gathered together through years of usefulness and labor, by the exer-

cise of those principles of industry and perseverance which all admire, but few emulate.

Alfred P. R. Wootten was born in Georgetown, Sussex County, December 12, 1834. He was the only son of the late Judge Wootten. His early education was very thorough. After spending two years at the Georgetown Academy he attended a private school in Philadelphia, two years at Delaware College, and entered finally Union College, Schenectady, N. Y., from which he graduated in 1855. He then entered upon the study of law with the Hon. George M. Dallas, of Philadelphia, and completed his studies in the office of Judge Thayer, of Philadelphia, and was admitted to practice there. Upon the advice of friends he removed to Wilmington, and opened an office. In September, 1861, he was appointed attorney-general by Governor William Burton, which office he held until his death, August 28, 1864. In March, 1859, he married Miss Rhoda, the daughter of Governor Burton. Their only child, Mary Robinson, is the wife of David T. Marvel, Esq., of Georgetown.

John O'Byrne was born in Dublin, January 13, 1826. In 1847 he became a member of the Irish Confederation formed by John Mitchell, Thomas Francis Meagher, Charles J. Duffy, John Dillon, father of the present Irish orator and leader, Richard O'Gorman, now a judge of the Superior Court of the City of New York, and others. This organization was a protest against the peace policy of Daniel O'Connell.

In 1848, when William Smith O'Brien determined to raise the standard of insurrection in the south of Ireland, Mr. O'Byrne was one of the young men who started to take the field. The rebellion was abortive, and Mr. O'Byrne, with others, was proscribed, and came to America in September of that year, and became engaged for about a year as assistant editor of the *Nation*. He then moved to Philadelphia and entered in mercantile pursuits, during which time he commenced the study of law in the office of the Hon. Lewis C. Cassidy, late attorney-general of Pennsylvania. On December 12, 1855, Mr. O'Byrne was admitted to the bar, and almost from that time his career has been one of great success. He practiced law in Philadelphia until 1868, when he moved to Delaware and lived upon his farm in Brandywine Hundred until 1879, practicing law in the mean time, in the Delaware courts, and was known throughout the State as an able advocate and a wise counselor.

The only office Mr. O'Byrne has filled was that of first assistant district attorney to the Hon. John McKeon during the years 1882 and 1883. During a large part of that time, however, Mr. McKeon being in ill health, Mr. O'Byrne acted as district attorney. Although never having held any other office, Mr. O'Byrne is frequently retained as counsel by the corporation counsel of New York in cases of special importance.

Joshua Litzenberg Simms was born on February 5, 1835. He graduated at St. Mary's College, after which he began to read law under the Hon. Daniel



John
W. Brown



James Truly
Jacobe Moore

M. Bates, and was admitted to practice at the November term of the Superior Court, 1859.

Mr. Simms was admirably adapted, and gave the greater part of his attention to real estate law. In 1872 he was elected mayor of the city of Wilmington, which office he held for three years. After the expiration of his term he resumed the practice of law, and is now a prominent member of the New Castle County bar.

William Sharp, was a son of Thomas Sharp, an early and prominent member of the Methodist Church in Sussex County, and after 1816 of Kent County, to which place he moved. William was born in Sussex County, in 1811, graduated at Yale College in 1847, studied law and was admitted to the bar of Kent County, in Dover, October, 1855, where he practiced a few years and became the editor and proprietor of the *Delaware State Reporter*, and later of the *Sentinel*. He died in 1876, aged sixty-five years.

William Corbit Spruance, a member of the bar since 1855, was born in Smyrna, April 2, 1831, and was a son of Presley Spruance, who was a member of the Legislature for twenty-one years, and of the United States Senate for six years. He entered Princeton College, after preparing at Newark Academy, in January, 1849, and graduated in 1852. His legal studies were prosecuted under Chief Justice Comegys, George B. Rodney and at the Harvard Law School. On being admitted at New Castle, in November, 1855, he settled there and remained until 1871, when he removed to Wilmington. For three years he was deputy attorney-general, for twelve years attorney for New Castle County, and for two years city solicitor for Wilmington. In 1876 he was appointed United States attorney for the district of Delaware, and resigned that office in 1880. Politically he is a Republican.

Daniel J. Layton, son of Judge Caleb S. Layton, born November 14, 1833, studied with his father and was admitted April 23, 1857. He began the duties of his profession at Georgetown, but soon retired from active practice.

John H. Stotzenberg, son of the well-known Wilmington manufacturer, was admitted to the bar in 1853, but soon removed to Indiana, where he is now in practice.

Hon. John B. Penington was born in New Castle Hundred December 20, 1825. He is the son of Thomas Macdonough Penington, nephew of Commodore Macdonough and Henrietta (Barr) Penington. He served his early education in the schools of Christiana and vicinity, and at the academies of New Castle and Newark, and completed his education at Jefferson College, Cannonsburg, Pa., where he graduated with the degree of A.B. in June, 1848. After his graduation he took an extended trip through the South and West, studying law for a time in Indiana with Hon. Edward A. Hangan, and was superintendent of construction of the Wabash Canal. He returned to his native State in 1851, and remained on

a farm cultivating it until 1854, when he entered the office of the Hon. Martin W. Bates, and was admitted to the bar on April 28, 1857, opening an office in Dover. Mr. Penington was early active in politics, and in 1856 was nominated by the Democratic party for the House of Representatives from Dover Hundred. He was clerk of the House in 1859, 1863 and 1873, the only case for over fifty years that any one has been elected three times to this office. He was a delegate to the Democratic National Conventions at Baltimore and Charleston. President Johnson appointed him United States district attorney in 1868, which position he held until the expiration of President Johnson's term. He filled this position with such marked ability that October 3, 1874, he was appointed attorney-general by Governor James Ponder for the term ending October 3, 1879. He was devoted to the practice of his profession, from that time holding several town offices only, until the present year, when he went to Congress as a Representative, having been elected in November, 1886, for the term ending March 3, 1889. He is also a trustee of Delaware College.

Honorable Eli Saulsbury was born in Mispillion Hundred, near Marshy Hope Bridge, Kent County, December 29, 1817, and is a brother of Chancellor and Governor Saulsbury, of whom sketches will be found in another part of this chapter. In his early life he attended common and select schools and took an irregular course at Dickinson College in the years 1839 and '41. Having a natural aptitude for the law, he had, while on his farm in Mispillion, read considerable, and acquired a large fund of legal knowledge before he entered regularly upon its study, which he did with his younger brother, the chancellor, who was then practicing in Georgetown, at which place the subject of this sketch was admitted to practice in 1857. Having moved to Dover in 1856, after his admission he opened a law-office there, and his ability being well known, he rose to a front rank in his profession. While a resident of Mispillion Hundred he was elected, in 1853 and 1854, a member of the Legislature and took a front rank in that session. In the year 1864 he was one of the delegates to the Democratic National Convention that nominated General George B. McClellan. He held no public position for several years after this date, but practiced his profession in Dover with considerable success until the Legislature in January, 1871, elected him to the United States Senate as a Democrat to succeed his brother, the present chancellor. He has served in this high position with such credit to himself and State that his constituents have asked that the Legislature elect him to a second and third term, the latter expiring March 3, 1889. While in the Senate he has served on a number of important committees, being chairman of several—that of Privileges and Elections, the first in the Senate, among the number—when his party was in power and also under Republican rule. He united with the

Methodist Episcopal Church in 1838 and has been prominent in its counsels for years, holding a number of positions. He has been for years one of the leading spirits in the Wilmington Conference Academy and is president of its board of trustees.

Richard G. Cooper, the present cashier of the Farmers' Bank of Delaware at New Castle, is a son of the Rev. Ignatius T. Cooper, and was born in Dover, January 3, 1834. He studied law in the office of Daniel M. Bates, then of Wilmington, and was admitted to the bar at New Castle, at the November term of court, 1858, and began practice in Wilmington, which he continued several years. During the war he was prothonotary of the county from 1865 to 1875.

Benjamin Nields was born in East Marlborough township, Chester County, Penn. (where his ancestors were early settlers), on July 12, 1831. He commenced the study of law with John C. Patterson, in Wilmington, in December, 1855, and was admitted to the bar at Georgetown in April, 1859. Politically he became identified with the Free-Soil party, and was an active supporter of Fremont in 1856, and of Lincoln in 1860. When the President called for three months' troops, in 1861, he assisted in organizing a company, of which he was appointed first lieutenant, and in 1862 he raised a battery of light artillery, the first and only one of the kind recruited in Delaware, and of this he was commissioned captain. He saw active service with this battery, and after the battle of Sabine Cross-Roads he was made chief of artillery on General Emory's staff. For conspicuous gallantry he was afterwards promoted to a lieutenant-colonelcy, and served as chief of artillery and ordnance on the staff of General Joseph J. Reynolds. In May, 1865, he was appointed one of the officers to receive the surrender of rebel troops west of the Mississippi, and in the following month was mustered out, having been the only member of the bar of New Castle County who had entered the army for the three years' service. In the fall of the year he opened a law-office in Wilmington, where he has since followed his profession.

William F. Causey, son of Governor Causey, was born at Milford, Kent County, November 28, 1833, studied law in the office of Judge John W. Houston, and was admitted to practice at the bar in New Castle County at the May term of court, 1859. He soon after went to St. Louis, and was law partner with the Hon. Truston Polk from 1867 to 1879, when he returned to his native State, and was Secretary of State under the Hon. Charles Stockley, and is now practicing law at Milford and at Georgetown.

Joshua Maris was born in Willistown township, Chester County, Pa., April 7, 1832, being the son of Caleb Maris, a respected citizen of that place. At the age of sixteen he was apprenticed to a cabinet-maker, and having mastered his trade when he was twenty years of age, he resolved to educate himself, and attended school first at Newark and then at Wil-

ilmington. In 1854 he entered Dickinson College, but domestic reasons compelled him to return home, and for a year he was engaged in teaching.

In 1856 he commenced the study of the law under the direction of the late Chancellor Bates, and was admitted to the bar in 1859.

In that year he was elected clerk of the City Council, and served three terms of one year each. In 1863 he was elected mayor of Wilmington, and was re-elected, but declined a renomination for a third term.

In 1871 he was elected president of the City Council, and served two terms, and in 1872 he was elected to the House of Representatives in the General Assembly, and served in that body in the session of 1873.

In many orders and benevolent societies he was a high officer and valued member. By birth he was a Friend, but some years prior to his death he was confirmed and became a member of the Protestant Episcopal Church, and was for some years a vestryman of St. Andrew's Church, Wilmington. Mr. Maris died September, 1884, having won, during the twenty-five years of his professional life, the respect of his associates and the confidence of his fellow-citizens, which was manifested by his frequent selection for honorable public service.

Charles Eugene La Motte was born at Lenni Mills, Delaware County, Pennsylvania, on August 20, 1839. He graduated from the University of Pennsylvania in 1858, and immediately commenced the study of the law under Hon. Edward G. Bradford, afterwards judge of the United States District Court for the District of Delaware, and was admitted to the bar of the State of Delaware, May, 1861, with his uniform on, being at the time a captain in the service of the United States. From the time of his admission until the close of the war he gave little or no attention to the practice of his profession, he being the entire time engaged in the service of his country.

Upon his honorable discharge, on March 22, 1866, General La Motte resumed his practice in Cincinnati, and there prosecuted it with signal success until the year 1881, when by reason of ill-health he was obliged to give up active work and returned to Wilmington.

It was hoped that a temporary change of residence and a freedom from the responsibility and arduous work consequent upon a large practice would restore him to good health, but this hope was not to be realized, and he remained an invalid, continuing his residence in Wilmington until his death, which occurred on May 24, 1887.

Although General La Motte during the fifteen years of practice as a lawyer attained prominence and distinction at the bar, his military career became the more prominent and one most interesting in its character.

The mere enumeration of his commands, and the distinction gained by those under him, is sufficient to indicate the gallant services rendered by him :

Captain of First Delaware Infantry, May 2, 1861; major of Fourth Delaware Infantry, August 16, 1862; lieutenant-colonel, October 1, 1863; colonel Sixth United States Veteran Volunteers, August 22, 1865; breveted colonel United States Volunteers, July 6, 1864, "for gallant and distinguished services during the operations before Petersburg, Virginia;" brigadier-general, March 13, 1865, "for gallant and meritorious services during the war." All these attest the excellence of his discipline and ability as a commanding officer.

General La Motte's connection with the military order of the Loyal Legion of the United States dates from the incipency of the order; and an abstract taken from a memorial read at a meeting of the board of officers of the Pennsylvania Commandery of the Legion shows the high appreciation in which he was held by his companions:

"The firing on Fort Sumter caused him to at once display a recruiting flag, and in a few days thereafter he had on his roll of recruits some two hundred names. He and his brother, Companion Robert S. La Motte, zealously worked together, and their recruits filled the first two companies furnished by the State Delaware,—Company A, First Regiment, Delaware Infantry, Captain R. S. La Motte, and Company B, Captain Charles E. La Motte. His commanding officers all bear willing testimony to his zeal, intelligence, patriotism and ability. On passing his examination for a commission in the First Veteran Corps (Hancock's) it was remarked by General G. K. Warren that no officer who had appeared before the Board had passed a better examination, and he was unanimously recommended for, and was appointed to, the first vacant colonelcy, which was that of the Sixth Regiment.

"To the very last his interest in all that pertained to the Military Order remained undiminished; and although prevented by long-continued ill health from attending the meetings of the Commandery, his warm soldierly heart was turned toward it and his companions of many a hard-fought battle and weary march with affectionate longing and kindest remembrance.

"In Companion La Motte's death, his commandery has lost from its membership a true man, a gallant soldier, a courteous gentleman and a genial friend."

Edwin R. Paynter, of Sussex County, brother of Judge Paynter, and son of Samuel Rowland and Sallie Ann (Ross) Paynter, was born in New York City, August 27, 1839, and the family, who had been residents of Sussex, returning thither in 1842, his boyhood was spent there. He attended several academies, spent one year at Delaware College, and graduated from Union College, Schenectady, New York, in 1858, aged nineteen. He then commenced reading law with Judge Wootten, of Georgetown, and was admitted to practice at Georgetown, on April 9, 1861, when he formed a partnership with his brother, which existed until 1870. He confines himself principally to civil

and real estate practice, and is not often identified with the presentation of a case in court.

From 1867 to 1871 he was attorney for Sussex County. In January, 1882, he became manager and associate editor of the *Democrat*, and in April, 1887, upon the appointment of John H. Paynter to the bench, became editor-in-chief, and still remains manager. Director of the Farmers' Bank, at Georgetown, since 1871, and trustee of Delaware College since 1872; president of the Georgetown Building and Loan Association since its organization, in 1885. He has been for twenty-five years vestryman of St. Paul's Protestant Episcopal Church, at Georgetown, and for nine years senior warden of the same church.

Samuel Milby Harrington was born October 31, 1840, in Dover, Delaware. Since the Revolution and the few eventful years immediately following, Delaware has known no period so striking, witnessed no events so pregnant, as those comprised within the short space of his life. His career began early and was crowded with labors and responsibilities. He was the eldest child of the late Chancellor Harrington, and so well did the bright precocity of the boy foreshadow the development of the man, that before he was seventeen he graduated at Delaware College with the first honors of his class. Losing no time, he at once commenced his legal studies under the direction of his father, the chancellor of the State. Completing them under the auspices of Chancellor Bates, in Wilmington, at the expiration of the prescribed three years, though only nineteen, he was found fully equipped for the active duties of his profession (and was admitted to the bar in November, 1861), upon which he immediately entered in Wilmington. It was the fortune of his life to be always young for whatever he undertook. Just at this time the Civil War broke out. The cause of the Union received his unflinching support and strenuous exertions. He was appointed adjutant-general by Governor Cannon in 1862. For a time the labors of this office, unsupported by funds for its bare expenses, and with no clerical aid afforded for work which in other States demanded a large corps of assistants, imposed upon him herculean tasks to the exclusion of all else. In the following year he was appointed secretary of State, and at the same time became so largely interested in the Sanitary Fair held in Philadelphia, as to be the very soul of the Delaware department. An ardent Republican, his next effort was in furtherance of the candidacy of his friend, the Rev. James Riddle, for Governor. These chivalrous efforts, however, were unsuccessful, and fearing that political activity would blight his brilliant prospects as a lawyer, he devoted himself henceforth entirely to his profession.

Here success was secured from the outset. To more showy qualities he added the unflagging industry conspicuously displayed as adjutant-general, and that zeal, earnestness and sympathy without which it was impossible for him to enter upon anything.

Clients became warm friends, for this sympathy joined to his personal magnetism was irresistible. He was skillful, ready and thorough. He had a passion for work and soon pressed his way to the very front rank of the bar. Yet so tender was his regard for professional brethren, so high his sense of honor, so untiring his devotion to the common good, that such as might have envied looked on with affectionate gratification.

He was one of the organizers and constant supporters of the Bar Association and Bar Library, which struggling associations were, at the time of his death, by no means assured of continued life. To them his death was the sorrest of deprivations. Again, he was one of the originators of the Wilmington Institute.

Spite of his withdrawal from active political life, he remained a member of the Republican National Executive Committee until his death.

He was deputy attorney-general during a portion of the term of Attorney-General Wootten, and in 1872 he was unanimously elected city solicitor of Wilmington.

By the death of his father, in 1865, he became the head of his family—the stay of a widowed mother—the guide and support of a band of younger brothers and sisters. Notwithstanding all other interests and claims, he was from first to last one of the bulwarks of Grace Methodist Episcopal Church, Wilmington. At the inception of the project which resulted in the beautiful building which now adorns the city, he devoted himself to its interests with tenfold ardor, and to his efficient work as permanent secretary of the board of trustees was largely attributed the result. Of this body he was afterwards again and again unanimously made president. The popularity manifested here he enjoyed in all social relations. Genial, witty, kindly, he not only won, but never lost, friends. His social brilliancy was enhanced by excellent mimetic and histrionic talent, and by rare gifts in entertaining children.

His death, though preceded by some months' illness, was so entirely premature—for upon September 10, 1878, he was not thirty-eight years old—as to call forth the keenest expressions of surprise and grief which can come from the hearts of friends. The bar meeting, convened upon the occasion, was unique in its earnestness of single-hearted sorrow. A common loss, a deep-hearted grief crowded out all rivalries and animosities, and the members of the New Castle bar were as one man in mourning the young and brilliant brother so untimely snatched from their midst. The city and the church sorrowed with them.

Dover, his father's home, the old family-seat, was deemed meetest for the last resting place. As the long funeral cortege wound through the old town—through the driving gloom of an eastern storm—there was silence, sorrow and universal sympathy. No place of business was open. The church was crowded. There, where father and mother had wor-

shipped before him—where his own youthful, well-kept vows had been recorded—the last sad words were said, and, in his native place, his body was committed “dust to dust, ashes to ashes,” till time shall be no more, and with it all earthly things shall pass away.

Charles H. B. Day was born in West Dover Hundred, near the State line, May 25, 1828, and is the son of Matthias Day. Mr. Day was educated in the common schools of the locality and was engaged in farming until he was thirty years of age. He then entered upon the study of law with Hon. N. B. Smithers, and was admitted to the bar October 29, 1861, and entered into partnership with Hon. George P. Fisher at Dover, the firm continuing until August, 1862, when he was appointed collector of internal revenue by President Lincoln, which office he held until May 1, 1869. Up to the year 1870 he had been a Republican in politics, but then became a Democrat and was elected clerk of the House of Representatives of the session of 1877. He was one of the first to aid in the establishment of the Conference Academy, and has been president of its board of trustees since the organization, and has been president of the Town Council, with the exception of one term, since the re-incorporation.

An attorney of the Delaware bar for whom the people and prominent officials of the State have expressed their esteem and confidence, by elections and appointments to positions of honor and importance, is Charles Brown Lore, of Wilmington, ex-attorney-general of Delaware and member of the Forty-eighth and Forty-ninth Congresses. Mr. Lore was born March 16, 1831, at Cantwell's Bridge (now Odessa), Delaware, where his father, Eldad Lore, who died in 1850, was engaged in farming and in the wood and lumber business. He was a man of exalted character and sterling worth, noted for his general kindness and especially for his beneficence to the poor, and was the descendant of a family of Cumberland County, N. J., settlers of the seventeenth century, in which locality, too, the ancestors of his wife—Priscilla C. (Henderson) Lore—were pioneers of the same period. Charles B. Lore, after obtaining the rudiments of education in his native town, and preparing himself at the Middletown Academy, entered Dickinson College, at Carlisle, Pennsylvania, in 1848, and he graduated there in 1852 with the degree of A.B. and the honors of his class. He studied law with Judge John K. Findlay, of Philadelphia, for a short period, and returning to Delaware, was elected clerk of the House of Representatives, in which position he served during the session of 1856-57.

Immediately after the close of his term he turned his attention to the ministry, and the Methodist Episcopal Conference, accepting him on trial, assigned him to the Princess Anne Circuit, in Snow Hill District, Eastern Shore of Maryland, where he remained for one year. At the expiration of that



Handwritten signature or name, possibly "C. A. Smith".



Chas. B. Love

time he withdrew, and, going to Wilmington, resumed his law studies with the late Daniel M. Bates, chancellor of Delaware, and was admitted to the bar in November, 1861. About the same time he ran for member of the State Legislature on the Democratic ticket, but, with others of his party, failed of election. In 1862 he was appointed by Governor Burton commissioner of the draft to raise troops for the Union army, and canvassed the county of New Castle for that purpose. On the 29th of September 1869, he was appointed by Governor Gove Saulsbury, attorney-general of the State for a term of five years. He was identified during this time with the trial of several celebrated cases, which attracted attention throughout the country, among them being that of Goldsborough for the murder of Charles Marsh, in which the prisoner was sentenced to be hung, but escaped and found his way South; that of Dr. Isaac C. West, charged with killing and skinning a negro named Turner, and attempting to burn his corpse with the purpose of conveying the impression that the body of the victim was his own, and thereby securing heavy life-insurance money to his wife; and also that of the Delaware Bank burglars, four of whom were convicted, whipped, fined and given five years' imprisonment. In all of these, and in several other cases, the ablest lawyers in the State were employed by the defense, and Mr. Lore's abilities were developed, as his reputation was enhanced, by the contests which ensued. While he has had a large experience in criminal cases, especially as prosecutor, his practice is, for the most part, civil, and he has had frequent occasion to seek thorough acquaintance with constitutional law and those elements of jurisprudence which have become a part of the State's history, as, for instance, in the disputes between Delaware and New Jersey regarding the water boundary, and involving the fishing rights of the two States. He is well grounded in knowledge of the constitutional and common law, is a good counselor, a logical thinker and forcible speaker; strong alike before court and jury, but perhaps excelling in his arguments before the latter.

He has built up a larger practice than a man less systematic in his methods of work could attend to, and has profited, from his devotion to his profession, in a degree not often equaled, though in late years his duties in public position have necessarily diverted his attention from his chosen calling. He was one of the incorporators and is a trustee of the Home for Friendless Children, in Wilmington, and since 1867 has been a trustee of Delaware College. He is, and has been throughout life, a Democrat, an untiring worker in politics as in his profession, and has a strong hold upon the sympathies of the people, commanded both by his abilities and the genuine kindness of his heart and manner. He received the nomination of his party for Congress, and was elected in November, 1882, by a vote of 16,563, over Washington Hastings, who had 14,640 ballots, and on No-

vember 9, 1884, was re-elected by a vote of 17,054, against his opponent's 12,978, his being the heaviest majority ever given in the State in an election actually contested on party and personal grounds. He served on the "Committee on Claims" and on the special committee on "American Ship-Building and Ship-Ownng Interests," in the Forty-eighth Congress; and upon those on Expenditures of the Department of State and Naval Affairs, in the Forty-ninth Congress. In both of these bodies he was an active force, but considerate, careful, conservative, perhaps, and always conscientious. He made several speeches which attracted public attention, were of weight in the House and helped to enact beneficial legislation, among them one on the Consular and Diplomatic Appropriations, one advocating the dual standard of gold and silver, another urging the forfeiture of land granted to aid the construction of the Oregon Central Railroad (which resulted in the reclamation of a portion of the lands from the company, as a fraction of the forty million acres opened to actual settlement in the United States), and still another, which was perhaps the most important of all, upon naval affairs, in which Mr. Lore, dissenting from his committee, opposed Secretary Whitney's plan to consolidate the naval bureaus and urged the retention of the old (and the present) system, in which there is direct responsibility to the Secretary of the Navy from all divisions, instead of an indirect responsibility, as proposed, extending to the head of the Department from experienced staff officers through inexperienced line officers, unduly subordinating the former and exalting the latter. Mr. Lore in this measure antagonized alike a majority of his committee, the Secretary of the Navy and prominent elements of his party; but the wisdom of the retention of the old system was obvious to the people generally and prevailed. Shortly after his election to Congress, Mr. Lore received as a law partner Mr. Harry Emmons, who is still the junior member of the firm of Lore & Emmons. Our subject has been very popular as a law preceptor, and during the years of his practice in Wilmington has directed the studies of no less than twenty-nine students, many of whom are now well-known attorneys. Mr. Lore was married, in 1862, to Rebecca A., daughter of Josiah Bates, a Friend, of Mount Holly, N. J., and has one child, Miss Emma Lore.

In 1885, when Mr. Bayard resigned his seat in the United States Senate to become Secretary of State with President Cleveland, Mr. Lore was strongly urged by his friends for the vacant Senatorship, and had an actual majority of one in the Delaware legislature, but, by the defection of one of his friends in the Democratic legislative caucus, was defeated for the nomination by one majority.

At the expiration of the term of Mr. Gray in 1886, who was elected to succeed Mr. Bayard, Mr. Lore was again pressed for the position, and an animated and exciting contest ensued, in which the Democratic

County Committee refused to instruct the judges of election to have an open and fair count in the presence of friends of both contestants. After the Legislative nomination election Mr. Lore withdrew from the contest in the interest of harmony in his party.

George V. Massey was born in Chester County in 1841. He removed to Delaware in 1849, residing for a short time at Newark and afterwards at Elkton, Md. In the year 1855 he came to Dover and obtained his early education at the Perkiomen Seminary, Montgomery County, Pa., and the Delaware Water-Gap Classical School, entered upon the law in the year 1861 with Hon. N. B. Smithers, completed his studies, and was admitted to the bar in October, 1862.

He served in the late war with distinction, joining the First Delaware Cavalry in 1862 as first lieutenant, and afterwards in the Adjutant-General's Department with the rank of captain and in the Inspector-General's Department with the rank of lieutenant-colonel, returning to Dover in 1864, where he has since resided, practicing his profession, in which he has arisen to a position of enviable reputation. While Mr. Massey has taken an active part in politics, he has always declined any public office.

The late Custis W. Wright, of Sussex County, son of Col. G. H. Wright and his wife, the daughter of Col. William D. Waples, connected with the Custis and Wise families of the Eastern Shore of Virginia, was born February 1, 1840. He was admitted to the bar in New Castle in 1862, and immediately thereafter became the partner of Hon. Willard Saulsbury, then United States Senator from Delaware. In 1865, Mr. Wright was appointed Secretary of State, which position he held for six years. He died November 29, 1874, leaving a widow, *née* Emma R. Paynter, daughter of Samuel R. Paynter, and granddaughter of Gov. Paynter, and two daughters.

John H. Rodney, son of George B. Rodney, was born at New Castle, June 18, 1839; studied law in the office of his father, and attended Cambridge Law School in 1861-62; admitted to the bar of New Castle County in November, 1862; entered the office at New Castle with his father, and continued until 1881, when he opened an office in Wilmington, where he continues.

He was a member of the Centennial Commission in 1876 and Constitutional Convention in 1887, and Presidential elector in 1876.

Alfred P. Robinson (2d) of whose father, also a lawyer, and grandfather, Peter Robinson, associate judge, sketches appear in this chapter, was born in Georgetown, February 17, 1842, was admitted in April, 1863, and began practice as his father's partner, continuing alone after the latter's death, in 1866. In 1875 he was clerk of the State Senate, and was appointed deputy attorney-general the same year. He was a delegate to the Democratic National Convention in 1880.

George Gray, present United States Senator, was

born in New Castle, May 4, 1840, and was the son of Andrew C. and Elizabeth (Scofield) Gray. He entered Princeton in 1857 and graduated A.B. with the class of 1859. He read law with his father and William C. Spruance, spent a year at the Harvard Law School and was admitted to the bar in 1863, at once entered practice and soon obtained an enviable position in the profession. In 1881 he was appointed attorney-general of Delaware by Governor John W. Hall, and then removed to Wilmington, where he has since resided. Mr. Gray was early identified with the Democratic party and has been prominent in its councils. He was a member of the National Convention of his party in 1876 and of the Cincinnati Convention of 1880, in which he nominated Mr. Bayard for the Presidency, in a masterly speech. He was elected United States Senator to fill the vacancy caused by the resignation of Mr. Bayard, and took his seat on March 4, 1885, and was re-elected in 1887 for the full term of six years. Mr. Gray's first wife was Harriet, daughter of the late Dr. Charles H. Black, of New Castle, and his second wife, her sister Margaret J. Black.

James R. Mitchell was born October 22, 1843, and came to the practice of law after having read a full course under the Hon. John W. Houston, now associate justice of the Superior Court of the State of Delaware, and was admitted to the bar in November, 1864. Mr. Mitchell practiced his profession in Milford, and came to be regarded as a sound lawyer. He died on the 11th day of January, 1879.

Anthony Higgins, son of the late Anthony M. Higgins, grandson of Anthony, and grand-nephew of the distinguished Jesse Higgins (concerning both of whom interesting matter appears in its appropriate place), was born in Red Lion Hundred, near St. George's, October 1, 1840. He graduated from Yale College in 1861 with the degree of A. B., and soon after began his law studies with William C. Spruance at New Castle, attended the Harvard Law School during the year 1862-63 and was admitted to the bar in May, 1864. He at once opened an office in Wilmington, in conjunction with the late Edward G. Bradford, afterwards United States district judge. In the same year he was appointed deputy attorney-general of the State under Attorney-General Jacob Moore and served two years. A pronounced and active Republican, he was made chairman of the State Committee in 1868, and in 1869 was appointed by President Grant as United States attorney for the district of Delaware, which office he held until June, 1876. He was a candidate for Congress in 1884. In 1870 Mr. Higgins dissolved partnership with Mr. Bradford and has since carried on the practice of his profession alone.

The present recorder of New Castle County, Thomas Holcomb, was born in New Castle July 13, 1843; studied law in the office of George B. Rodney and attended Harvard Law School in the college year of 1863-64; admitted to New Castle County bar in No-



THE JOURNAL OF POLYMER SCIENCE: PART A-1

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John W. Wagoner, of Jackson County, son of John W. Wagoner and his wife, the daughter of John Wagoner, Jr. Wagoner, connected with the Christian Mission Society of the Eastern States of America, was born in 1819. He was educated to the study of law, and was admitted to the bar in New York, and was afterwards admitted to the bar in Ohio. He practiced law in Ohio, Michigan, and New York, and was admitted to the bar in New York in 1845. Mr. Wagoner was appointed Secretary of State with a position of honor for six years. He died in New York in 1875, leaving a widow, one daughter, and one son. He was buried in the City of New York, and his remains were interred in the City of New York.

Robert H. Bennett, son of Charles H. Bennett, was born at 1100 1/2 Ave. C, Little Rock, Ark., studied law in the law office of his father and graduated from Cumberland Law School in 1894, after which he came to the city of New York. He was in New York in 1897, and then the office at New Orleans with his father, and came back to Little Rock in 1898, when he opened an office in Washington, where he continues to practice.

To assess a model of the vapour liquid interface on a molecular level, the authors used the following procedure. They calculated the interfacial free energy of the P_{66} liquid crystal phase at $T = 285^\circ\text{K}$.

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born in New-Orleans May 4, 1814. He graduated at the University of Louisiana in 1834, and has since that time been engaged in the study and practice of the law. He read law at the University of Louisiana, and at the University of Maryland, and was admitted to the bar in 1836. He commenced practice and soon obtained an extensive patronage in the profession. In 1841 he was elected to the Legislature of Louisiana by the Democratic party, and then retired to Winn Parish, where he has since resided. Mr. Gray was early in the Democratic party and has been prominent in its councils. He was a member of the National Convention of his party in 1876 and of the Louisiana Convention of 1884, in which he nominated himself for the Presidency, in a masterly speech. He declined United States Senatorship in the same year, on the resignation of Mr. Bayard, and was re-elected on March 4, 1885, and was re-elected for the third term of six years. Mr. Gray is the first daughter of the late Dr. Thomas H. H. New-Orleans, and his second wife, Harriet J. Bayard.

James R. Mitchell was born October 22, 1851, in
Canada, the son of a farmer of his name. He received
his education under the Hon. Jol. W. H. Mitchell, a
former justice of the Superior Court of the State of
Wisconsin, and was admitted to the bar in 1874.
Soon after Mr. Mitchell began his professional
career, and came to the United States, where he
arrived on the 11th day of January, 1875.

Anthony Harris, son of John Harris and Mary Harris, grandson of Anthony, and grand-nephew of distinguished deacon Thelma Harris, was an interesting writer, appearing in the *Register*. He was born in Red Lion, Pennsylvania, October 1, 1840. He graduated from college in 1862, with a law degree, and after he had his law studies with William H. Hunt at New Castle, attended Johns Hopkins University during the year 1882-3. He was admitted to the bar in 1864. He next was appointed to the position of clerk in connection with the Freedmen's Bureau, afterwards United States Marshal. In the same year he was appointed clerk of the State Prison at Auburn. He remained in that position two years. A few years

mean, he was made chairman of the State Comm. in 1902, and in 1903 was appointed to the

the United States during your
 term, which is the only
 one of the four Congresses in the
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 problem of the colored people of
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Samuel H. Arnold

vember, 1864; practiced a year in New Castle, and resided in New Orleans and Michigan, where, for several years, he was engaged in other business. In 1877 he opened an office in New Castle, and in the next year was elected recorder of New Castle County, which position he still holds. He was a member of the House of Representatives in 1875 and 1877 and Speaker of the House in 1875.

Levi C. Bird is a son of James T. Bird, of Christiana Hundred, where he was born November 20, 1842. He entered the office of Chancellor Daniel M. Bates and attended Harvard Law School, from which he graduated in 1863. He was admitted to practice in New Castle County in May, 1865, and without any delay opened an office in Wilmington, where he has continued from that time to the present. He was appointed register in bankruptcy of United States District Courts for the district of Delaware, and continued from 1867 to 1877.

James L. Wolcott is a native of Mispillion Hundred, and was born about one mile and a half east of Harrington, February 4, 1842. His parents were Josiah and Elizabeth (Dorman) Wolcott, and he received his education in the county schools, in which he afterwards taught. In 1863 Mr. Wolcott entered upon the study of the law with the Hon. Eli Saulsbury, and was admitted April 23, 1866. After his admission he took an active interest in politics, and soon arose to prominence in both it and his profession. The Senate at the session of 1867 elected him clerk. February, 1871, he was chosen counsel for the Levy Court, and continued in this position until January, 1879, when Governor John W. Hall appointed him Secretary of State for the term ending January, 1883.

Beniah Watson was born December 30, 1841, at Milford, Sussex County, and is the son of Curtis S. Watson. He was educated in his youth at Hartsville, Pa., and at Williston's Seminary, East Hampton, Massachusetts, and then spent three years at Yale College. He entered upon the study of law with Hon. Daniel M. Bates in the fall of 1863, and was admitted to the bar October 28, 1866. He entered Harvard Law School while a student and graduated in the summer of 1866. In 1869 he was elected clerk of the House of Representatives by the Democrats.

From this time Mr. Watson devoted himself to the practice of law, in which he has acquired considerable reputation in Chancery cases. Being strongly supported by the leading Republicans of the State, President Arthur, February 21, 1885, appointed him collector of internal revenue for the district of Delaware, which office he held until December 5, 1885.

James Henry Heverin, the brilliant orator and distinguished lawyer of Philadelphia, was born near Dover, Delaware, April 21, 1844. He is the third of eleven children born to James L. and Priscilla Stites Heverin. His father, early in life, was a well-known and prosperous merchant and business man

at Little Creek Landing, and since 1860 has resided in Dover, where he has dealt extensively in grain and is the owner of a large amount of real estate.

James H. Heverin obtained the rudiments of his education at a school near his home. When but ten years old he displayed wonderful powers of oratory and at that age made political speeches to enthusiastic audiences. For a short time he was a clerk in the store of his uncle, and later assisted his father in the mercantile business. In 1859 he was sent to a boarding-school at Village Green, Pa., and the next year attended Mount Holly Seminary, in New Jersey. In both of these institutions he exhibited remarkable faculties of mind and progressed so rapidly in his studies that in 1861 he entered the sophomore class in the College of New Jersey, at Princeton, and was graduated therefrom in 1864, at the age of twenty. At college he impressed every one with his great intellectual endowments, his diligence as a student, his genius for debate and his mental grasp, by means of which he thoroughly mastered the entire college curriculum and the contents of many books found in the libraries. Early in life he was an omnivorous reader and he rarely laid a book aside until all that it contained was indelibly imprinted on his mind. He thus amassed a great fund of general knowledge and carefully stored it away for use in after years.

One characteristic feature of his keen intellect is its mental leaf-turning, by which he constantly reveals these early stores. During his senior year at Princeton he registered as a law student at Dover, with the Hon. Joseph P. Comegys, and in the autumn of 1864 entered the middle class at Harvard Law School. He remained at this institution one year, then continued his legal studies in Boston until 1866, and was admitted to the practice of law at Dover the same year. He began his professional career in that town, but the field was too small for such a giant at the bar, and he removed to Philadelphia. He was then a comparative stranger in a great city which is now proud to claim him as one of her most distinguished men. In January, 1867, he became a member of the Philadelphia bar, and until January, 1868, was in the office of John O'Byrne, Esq., familiarizing himself with Pennsylvania practice. He then opened an office in the *Public Ledger* Building. He had no means of gaining a start in his profession except his own high talents and ability. But these were enough. He soon made a great impression in the courts, won success in almost every case in which he was interested, and in two years vaulted over the heads of the veterans in the profession, and stood shoulder to shoulder with great lawyers, who, by a lifetime of patient endeavor, had won the right to be ranked among the leaders at the bar. In 1869 the office of assistant district attorney of the city was tendered him by Furman Sheppard, the district attorney. He filled the position for two years and then declined a re-appointment. During the first month

he disposed of seven hundred cases, and in a short time gained all the experience of the office. The vastness and universality of his acquirements, his remarkable activity and untiring energy rendered him a very efficient officer, and gained for him a brilliant reputation and wide-spread popularity. The young orator from Delaware was now on the high-road to fortune, and when he retired from office he at once secured a very large and constantly increasing practice.

In the fall of 1871 he was elected one of the three delegates-at-large from Philadelphia to the convention that amended the State Constitution the following year. He received the highest Democratic majority ever before given to a candidate in the city, was the youngest member of the Constitutional Convention, and took an active part in its deliberations. He has since devoted his entire energies to the practice of his profession, in which he has few equals in this country. As an evidence of his acknowledged ability as a criminal lawyer, not one of the persons charged with capital offenses, when he has defended them, has suffered the extreme penalties of the law.

James H. Heverin is not only known in Philadelphia, but in every large city in the Union, as one of the most gifted and most successful lawyers of the day, and he is yet comparatively a young man. He rose rapidly to distinction at the bar, through his transcendental abilities, his undaunted energy and his faithfulness to duty. No client could take more interest in his own case than this tireless lawyer; nor could any man be more loyal to himself than Mr. Heverin to those who trust him. His fame is well merited.

The man and his remarkable powers are revealed when he pleads an important cause before a jury. He becomes intensely absorbed in his subject and pours forth a continuous stream of eloquence with all the force and passion of a great actor, and then moves the hearts of his hearers with the tenderest pathos in a voice as musical as the rippling woodland brook. When thus speaking his presence is commanding, his magnificent head partly thrown back, his poses graceful and dignified, and his gestures sweeping, intelligible and given with striking effect. If he believes his client is wronged and not wronging, or if he is confronted with fraud, cant or sham, his words march on like conquering armies, crushing down all opposition and bearing onward the white banner of truth; his voice rings silvery clear as a bugle and his hands speak through every finger.

He has an easy flow of language which clothes his keen thoughts in expressions which startle and amaze and hold the rapt attention of judges, jurors and auditors. He is known to have won cases when all the facts were against him, through the overpowering influence of his wonderful eloquence. Perhaps he is never more effective than when bitterly ironical, when the opposing counsel cannot endure his cutting polite words; but he is always sagacious, per-

suasive and vigorously earnest. His arguments are forceful as the battle-axe of Cœur de Lion when wielded by that stalwart monarch's hand! His sarcasm keen as the scimeter of Saladin, smiting down sophistries, however subtly woven. He asks no quarter, he gives no grace; he means to win, or losing, know the reason why.

The business of few other lawyers is so comprehensive in its scope, so various in its demands. In 1882 Mr. Heverin was appointed a-sistant attorney-general in behalf of the United States in the Court of Alabama Claims. He is counsel for the leading newspapers and theatres, for many of the wealthiest and most important corporations in Philadelphia, as well as for scores of prominent merchants, bankers and brokers, and always has on hand numerous cases in which immense pecuniary interests are concerned.

Even though success seems continually to attend his efforts and fortune and fame to follow him like well-trained servants, James H. Heverin continues the same quiet, generous, courteous, unaffected gentleman. In his social relations he is extremely popular, and as a member of the Clover Club and other social organizations of Philadelphia, and in his association with the people, he has won and deserved the admiration of a vast multitude of friends. It has been without the arena of the courts, on public or social occasions, that some of his noblest oratorical efforts were delivered. Here his full, flowing, sensuous style of oratory is modulated by a voice of sustained sweetness and power and a heart of chivalrous courtesy. His studied speeches contain great fulness of thought and illustration, and are models of correct composition. Their grammatical construction, rhetorical finish and accurate arrangement render them well-nigh faultless.

Since he first opened a law-office in the Ledger Building he has continued it there. One room at first sufficed, but now he and his partner, James H. Shakespeare, his brother-in-law, also a native of Delaware, have four of the most eligible rooms on the first floor of the building.

Mr. Heverin was married in 1866 to Miss Ada C. Cator, daughter of Dr. H. C. Cator, of Syracuse, N. Y. They have two children,—Harry C. Heverin, aged twenty, and Ethel Clover Heverin, aged five years. He lives at Delancey Place, his house being one of the most charmingly appointed in the city, where he entertains a great deal and shares a liberal hospitality.

James Alexander Fulton's lineage runs back to a very remote period. The family was prominent and well known in the county of Warwick, and near the city of Leamington, England, long before the accession of James the First, and some of the name still reside there. In the reign of James several families, with other English and Scotch Protestants, emigrated to Ireland, and settled in or near Londonderry, in the province of Ulster, where many of them may yet



ILLUSTRATION OF THE LAW.

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Mr. F. B. Johnson was elected one of the three members from the county to the convention of the State Constitution the following year. He received the support of Democrats and Republicans alike in his election to this office, the only one of the kind in the history of the State, and he took an active part in its deliberations. He was elected to his second term to the present Legislature, and was elected as representative in the next. As an evidence of his acknowledged standing as a practical lawyer, not one of the persons engaged in the proceedings, when he has delivered his opinion, has ventured the extreme possibility of the law.

fact, Mr. Flavel is not only known in Philadelphia, but in every town in the Union, as one of the most gifted and most successful lawyers of the day, and not yet comparatively a young man. He has rapidly attained to the bar, through his extraordinary and almost undiminished energy and his indefatigable industry. No student could take more pains to learn the law than he, and he has shown that he could run more than the race of a hundred men. Mr. Flavel is to those who trust in him, a sure and well-secured reliance.

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The following information is available in the records of the Bureau of Census and Statistics, which should be used in conjunction with the report on national and regional trends in the following table. The following table was compiled from the 1960 Census of the United States, which was published in 1962. The following table is based on the 1960 Census of the United States, which was published in 1962.

survive and vigorously earn out. His argument is as useful as the battle-axe of George Washington, which by that standard means his hand is cut off. Keeping the secret of his own mind, he says, "I never suffer, when I am in the greatest distress, to think he means to kill me, until I know the reason, why."

The business of new or other lawyers is so much extensive in its scope, so varied in its character, that in 1882 Mr. Howell was appointed to the state general's job, that of the United States marshal of Alabama Claims. He is counsel for 100 newspapers and thousands for many of the largest and most important corporations in Alabama, as well as for scores of prominent merchants and bankers, and always has on hand cases in which immense pecuniary interests are concerned.

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Since the first open show was in 1960, and the first closed show in 1961, the club has continued to grow. It is now the largest and most active of the 125 S. A. chapters, with 1,000 members. It has had four of the past six presidents of the club, and the first floor of the building

Mr. Hevers was married in 1902 to a woman later, a daughter of Dr. H. . . . They have two children, a son, . . . twelve, and a daughter, . . . He is now . . . the post office . . . been the . . .

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the fact that the majority of the respondents were male, and that the majority of the respondents were from the United Kingdom. The results of the study suggest that the majority of the respondents were male, and that the majority of the respondents were from the United Kingdom. The results of the study suggest that the majority of the respondents were male, and that the majority of the respondents were from the United Kingdom.



Yours very truly
J. Alexander Fulton

be found. By intermarriage the family became intimately connected with the Allendars, Alexanders, Gilberts, Martins, Taylors and Wilsons, still familiar names in Ulster, especially near Colerain and Londonderry. William Fulton, in company with several kinsmen, emigrated to America from Londonderry about the year 1786. He was then unmarried. He first visited some distant relatives in Centre County, Pennsylvania, where he married Mary, a daughter of Major Thomas Wilson, a leading citizen of the county. The young people soon after this removed to what was then called Westmoreland, but now Indiana County, where they ever after resided. Thomas was the only son of this marriage, and father of the subject of this sketch. He was named after his grandfather Wilson.

About the same time that William Fulton left Ireland, James Neely and Rachel Taylor were married in Londonderry, and in less than two years after, they also emigrated to America, and settled in that part of Westmoreland County north of the Kiskiminetas River, afterwards included in Armstrong County. It was then almost a wilderness, and there was much unimproved and unappropriated land belonging to the State. Mr. Neely "took up" a tract of about six hundred acres, improved it, and resided there until his death, in 1832. A portion of it still remains in the family. This was distant about twenty miles from the residence of William Fulton.

On Christmas day, 1821, Thomas Fulton and Eleanor Neely, Mr. Neely's second daughter, were married at her father's home. The young couple soon after settled on a tract of land near by, where they continued to reside until the death of Thomas, February 2, 1853, and the widow for many years afterwards. On this farm, November 11, 1822, their first child, James Alexander, was born. He was so called in honor of his grandfather Neely, the middle name being added as a mark of affectionate regard for their relatives of that name in Ireland.

Mr. Fulton's ancestors, as far back as tradition goes, were Presbyterians, and he was carefully instructed in the faith and practice of that church, and acknowledges with gratitude the fidelity and devotion of his parents in his early training, and holds their memory in the most affectionate and sacred regard. Education was highly valued by his parents, but very hard to attain. He was sent, however, to the best schools the country afforded and made good use of his opportunity. His chief attainments, however, were made by assiduous private study. He read Latin at home, and recited once a week to the Rev. Cyrus B. Bristol, pastor of the Presbyterian Churches of Apollo and Boiling Spring, under whose ministry he united with the church of his fathers in the spring of 1842. He taught school from 1842 till 1846, but not continuously, and always afterwards maintained that teaching was a most wholesome discipline for a young man before entering upon a professional life, and always speaks of his experience in that line with enthusiasm.

Mr. Fulton from a boy had resolved to follow the legal profession; and, with this view, in 1846 he entered himself as a student-at-law, with Jackson Boggs, Esq., afterwards president judge of Armstrong County. He was admitted to the bar of that county June 21, 1848, and immediately took rank as a careful and safe counselor and able advocate. He was employed in an important case even before his admission, afterwards tried and won it. This gave him considerable reputation, as his opponent, the late Governor William F. Johnston, was then at his prime and an acknowledged leader. Two years later he won his first case in the Supreme Court of Pennsylvania, reversing the court below. This time his antagonist was the Hon. Horatio N. Lee, one of the ablest lawyers of Western Pennsylvania. In both these cases Mr. Fulton was sole counsel, and his success in contests with such opponents established his right to a place in the front rank of his profession.

In politics Mr. Fulton was a Democrat, both from education and conviction; and, although only once in his life a candidate for office, he always took a deep interest in public affairs and an active part in political campaigns. Even while in his minority, he often wrote for the Democratic paper of the county.

The Constitution of Pennsylvania was amended in 1850, so as to make the judges elective instead of appointive, as theretofore. This necessitated the election, in the fall of 1851, of five Supreme judges for the entire State. Mr. Fulton was chosen the Senatorial delegate from the district composed of the counties of Armstrong, Butler and Indiana, to represent this district in the State Convention, a most responsible and delicate trust.

The candidates were all nominated upon the first ballot, and all save one elected by the people.

Out of a hundred and thirty-three delegates in convention, only four voted for all the nominees, and Mr. Fulton was one of the four.

In 1852 Mr. Fulton was elected to the Legislature, leading his ticket one hundred and twenty-four votes, in the face of a determined opposition. Although the youngest man, perhaps, in the Legislature, he was placed upon the Committees of Ways and Means and of the Judiciary, the two most important committees of the House. He took an active part in all the proceedings, and was never absent from his seat a day during the session. The next year he was tendered the nomination without opposition, but declined it on account of the injury his absence was to his professional pursuits, and the compulsory absence from his family. His interest and activity in politics, however, did not abate, and he was selected as chairman of the executive committee of Armstrong County, and served thereon for ten consecutive years, including the memorable Presidential campaigns of 1856 and 1860. He was also a member of the Democratic State Central Committee in 1860, and frequently of State conventions.

For many years, and until his removal to Delaware, he was president of the Armstrong County Agricultural Society, also the Kittanning Cemetery Association, a trustee of the Kittanning Academy, and a member of various other benevolent and literary associations.

In 1862 Mr. Fulton established *The Mentor*, a weekly political and literary newspaper, which he continued to edit and publish until his removal to Delaware in 1865.

In 1864 Mr. Fulton resolved to move east, and after looking through Eastern Pennsylvania and Western New Jersey, he visited Dover, and was so charmed with its location, mild climate and adaptation to fruit culture, of which he is passionately fond, as well as by the intelligence and cordiality of its people, that he resolved at once to make it his future home. This he did the next spring, arriving in Dover April 15, 1865, where he has resided in the same house, and occupied the same office, ever since. He has never regretted this step, and to-day believes there is no more favored spot on earth than Delaware, of which Dover is the centre and capital.

He still continues to practice his profession as a calling, but gives considerable attention to literature and agriculture, in both of which he takes pleasure and delight.

In 1870, at the solicitation of Orange Judd & Co., of New York, he prepared a little work on "Peach Culture," which they published. It was very favorably received, became at once a standard authority, and has run through several editions.

Mr. Fulton still adheres to his political faith, but has never sought office. He is liberal and independent in his views and as ready to commend his opponent when right as to condemn his friends when wrong. In 1876 he was chosen to preside over the State convention, and has often been a very useful member of conventions and committees of his party.

In 1870 Governor Saulsbury appointed Mr. Fulton a trustee for Delaware College. This is a State institution, and this position he has held ever since.

On the Fourth of July, 1848, Mr. Fulton married Mary A. Rice, a daughter of Conrad Rice, Esq., of Indiana, Pennsylvania. They had eight children, only five of whom are yet living.

Charles G. Rumford, a native of Byberry township, Philadelphia County, Pa., was born August 17, 1841; studied law with Judge E. W. Gilpin and Victor Du Pont, was admitted to the bar May 7, 1866, and at once began practice in Wilmington, and still continues. He was deputy attorney-general in 1867-69, under Jacob Moore, clerk of United States District Court, under Judge Willard Hall, and was succeeded in 1873 by S. Rodmond Smith, the present clerk.

Richard Harrington, the third son of the late Chancellor Harrington, was born on the 19th day of

February, 1847, at Dover, Delaware. His early education was received there, and later he entered Georgetown College, in the District of Columbia, from which he graduated with high honors, and, returning to Delaware, commenced the study of law under the Hon. Nathaniel B. Smithers. After finishing the required course, he was admitted to practice in Kent County. He at once acquired a prominence at the bar, owing to his brilliant qualities as a speaker. About two years after his admission he removed to Washington, where he soon gathered about him an extensive clientage, and his ability as an advocate was fully recognized, making him a conspicuous figure at the National capital.

Mr. Harrington was appointed assistant district attorney for the district by Hon. George P. Fisher, and from the success which attended his prosecution of the many important cases, he became known throughout the country as one of the most powerful jury lawyers. His genius and rare talents won for him the highest commendations of the older lawyers in Washington and drew to him many able men as his personal friends. He continued to reside at Washington until the year 1875, when he returned to Delaware and resumed the practice of his profession in his native town. He afterwards became widely known in politics, and in 1882 was chosen the chairman of the Republican State Central Committee.

Mr. Harrington's political career can be said to have begun when a boy of thirteen, and his early speeches were a suitable foundation upon which he afterwards built so great a reputation as an orator. The mere announcement of his name as a speaker at any the meetings of the campaign in which he was interested was a sufficient guarantee of large assemblies, so anxious were the people throughout the State to hear him.

He possessed to a great degree an indescribable magnetism, and his manner of speaking electrified his hearers. He trusted to a great extent to his power of imagination and made but little preparation in some of his best efforts. His familiarity with the classics, from which he largely borrowed, added to his many other strong qualities, rendering him a most formidable adversary in the political arena, as in the trial of cases. He was, perhaps, one of the most gifted orators for his years that the State of Delaware ever produced.

It is related of him that while residing in Washington, he made a masterly plea for a prisoner's life upon but an hour's study of the case. He was called in after the regular counsel had abandoned all hope of any other verdict than that of murder of the first degree, and Mr. Harrington was prevailed upon to try to save the man's life. He arose in court and delivered one of the most effective speeches ever listened to by a jury, which resulted in securing a verdict for a much lower degree.

An able lawyer, a daring and shrewd politician, he was compared frequently with the late John M. Clayton as being peculiarly fitted to be a leader of men.

Socially, Mr. Harrington has very many attractive features, and his generous heart and sympathetic nature attached to him an extensive acquaintance, as well as a host of close friends.

After an illness of a few weeks, he died at his residence in Dover on the 18th day of November, 1884, respected by all.

Alfred S. Redden, of Sussex County, read law in the office of the Hon. Jacob Moore; admitted to the bar April 9, 1867; practiced at Georgetown a short time and moved to Arkansas, where he practiced his profession and became known as the "Silver-Tongued Orator."

Major S. Rodmond Smith was born in Wilmington, April 20, 1841, was a son of Albert W. Smith, and of Quaker descent. He began the study of law in 1860 with E. G. Bradford, but his studies were abandoned in July, 1862, when he began to recruit men for the Fourth Delaware Infantry. He was commissioned first lieutenant, afterwards promoted to the captaincy, and after the battle at Rowanty Creek, Virginia, in which, as senior captain, he had command of the regiment, he was breveted major. He shared in some of the most important battles of the war, and in the final struggle at Appomattox had command of the Third, Fourth and Eighth Delaware Regiments, and proved a skillful officer. After the close of the war he returned to Wilmington, resumed the study of law and was admitted to the bar in 1867. After residing in Wilmington for a year he removed to Carroll County, Maryland, where he lived until 1869, when he again returned to Wilmington to fill the position of secretary and treasurer of the Farmers' Mutual Insurance Company of Delaware. He severed his connection with that institution in 1873, to enter upon the duties of United States commissioner and clerk of the United States District and Circuit Court for Delaware, which offices he still holds.

Alexander B. Cooper, a son of the Rev. Ignatius T. Cooper, was born in Middletown, Delaware, November 15, 1844, studied law in the office of the Hon. Eli Saulsbury and was in the Law Department of the University of Pennsylvania; admitted to practice in New Castle County, on the 6th of May, 1867.

He opened an office in Wilmington in 1868, continued one year and moved to New Castle, where he remained until the courts were removed in February, 1881, when an office was opened in Wilmington, where he remains. Mr. Cooper was appointed attorney-general Oct., 1879, and served to March, 1885. A member of the Senate in the sessions of 1883-85 and Speaker at the last term.

George H. Bates was born in Dover, Delaware, Dec. 19, 1845. He is a son of the late Daniel M. Bates, of whom see sketch and portrait in this volume.

After receiving a preliminary education at Wilmington, Delaware, Mr. Bates was admitted to the sophomore class of the University of Pennsylvania in 1862. At the end of his junior year he left college, and went to Michigan, where he engaged in the lumber business. But ill health caused by the climate compelled him to change his plans, and in 1866 he came to Wilmington and began the study of law in the office of his father. He afterwards went to the Harvard Law School, and in April, 1869, was admitted to the bar. He at once opened an office in Wilmington, and the same year was appointed deputy attorney-general of the State of Delaware. During the five years that he held this office he took part in a large number of important criminal prosecutions, the most notable of which was that of the Delaware Bank burglars. In 1877, when the late Chancellor Bates resumed the practice of the law, the subject of this sketch became the junior member of the firm of D. M. & G. H. Bates. In 1878 Austin Harrington, Esq., was admitted to the firm and its name was changed to Bates & Harrington. Shortly after this Chancellor Bates died. The surviving partners continued the firm, and have since that time continued to conduct a large practice.

Mr. Bates' great natural talent, untiring industry and strict integrity forced him to the very front ranks of his profession when quite young. He enjoys the confidence of the bench and bar to an unusual degree, and his opinions are regarded by them with sincere respect. His reputation as a sound and successful lawyer is so good that his assistance has been and is sought in very many of the important cases tried in his county.

Mr. Bates has for years been a leader of the Democratic party, and has done much to build up and strengthen its power in this State. But he has always subordinated his participation in politics to the active duties of his profession, and has never sought political honors. In 1882, however, he yielded, at considerable personal sacrifice, to the unanimous demand of his party in Wilmington that he should represent them in the State Legislature. He was elected a member of the House of Representatives with special reference to certain constitutional reforms then demanded. He took his seat in January, 1883, and was chosen Speaker. His chief endeavor in the Legislature was to secure the passage of a measure giving to New Castle County increased representation in the General Assembly. Although his efforts were then unsuccessful, yet they did fasten the attention of the people of the State upon the injustice of the present iniquitous system of representation and were largely instrumental in causing the now well-nigh universal demand for a Constitutional Convention. Mr. Bates was a delegate to the Democratic National Conventions in 1880 and 1884. In 1887 he took a very active part in favor of the proposed convention to amend the Constitution of the State of Delaware, and the surprisingly large vote which the proposition received

at the polls was due to his exertions more than to those of any one else.

In 1886 President Cleveland appointed Mr. Bates a special commissioner of the United States to unite with commissioners of Great Britain and Germany in an investigation of the political condition of Samoa and also on the same trip to proceed on the United States steamer "Mohican" to Tonga and negotiate a treaty with that kingdom. Mr. Bates left Washington on this mission in July, 1886, and having completed the business entrusted him he returned and made his report to the government in December of the same year.

He has always taken an active interest in benevolent and educational enterprises, and is closely connected with the business interests of his city. He is an active member of the Delaware Historical Society and long actively connected with the Wilmington Institute, and at one time its president. He is also a director of the Farmers' Bank and of the New Castle County Insurance Company and other business corporations.

He is a member of the Protestant Episcopal Church, and was a delegate to the general conventions of 1877, 1880, 1883 and 1886.

In 1870 he was married to Elizabeth Ballister, daughter of the Hon. Charles Theodore Russell, of Cambridge, Massachusetts. Two children have been born of this marriage—Charles Theodore Russell and Daniel Moore.

Charles F. Richards, of Sussex County, was born June 15, 1846, in Northwest Fork Hundred, and was a son of John Richards. He received his academic education in New Jersey, registered as a student in Georgetown, graduated from the university at Albany, N. Y., was admitted in that city and also at Georgetown, and opened an office in the latter place in 1869. During the Civil War he served in the Sixth Delaware Regiment. From 1870 to 1876 he served as chairman of the Republican Executive Committee of Sussex County and as member of the State Committee, and in 1872 was a member of the Republican National Convention, which met in Philadelphia.

Edward G. Bradford, son of the late Judge Edward G. Bradford, of the United States District Court of Delaware, and Mary Alicia (Heyward) Bradford, was born in Wilmington March 12, 1848. After careful preparatory studies he entered the freshman class at Yale College in July, 1864, and graduated with honors in 1868. He read law with his father, and was admitted to the bar in May, 1870, and has since followed the profession in Wilmington.

In 1880 he was elected on the Republican ticket as Representative in the State Legislature, receiving the largest vote given for any candidate on the legislative branch of the ticket in New Castle County. He received the complimentary vote of his party for Speaker. Mr. Bradford married Eleuthera Paulina, a daughter of the late Alexis Du Pont.

Robert C. Fraim was born near Wilmington January 18, 1830, studied law under the direction of Wm. C. Spruance, admitted to the bar of New Castle County May 9, 1870, and opened an office in Wilmington. He was register of wills of New Castle County from 1864 to 1869, member of the Board of Education from 1870 to 1879, and clerk of City Councils from July, 1882, to July, 1884.

Henry R. Du Pont, a son of Charles I. Du Pont, was born in Brandywine Hundred, November 19, 1848, studied law with his half brother, Victor Du Pont, and was admitted to the bar of New Castle County in May, 1871. Upon the establishment of the office of United States jury commissioner in 1870, he was appointed to the office and still holds the position.

Walter Cummins, the present judge of the municipal court of the city of Wilmington, to which place he was chosen in July, 1883, is a son of George W. Cummins, and was born at Smyrna. After a three years' preparative course he entered Princeton College in 1865, and graduated in 1868. He studied law under the direction of the Hon. Thomas F. Bayard, and was admitted to the bar of New Castle County May 13, 1872, and he has from that time followed the profession in Wilmington. He served the city as solicitor two terms, and for several years was counsel for the trustees of the poor in the county.

Samuel A. McAllister is the son of a Philadelphia journalist, Samuel McAllister, and was born September 10, 1840. Both parents died before he was ten years old, and he was obliged to make his own way in the world. Upon the breaking out of the war he enlisted as a private soldier; served through the war, and was several times promoted. He was assistant assessor of internal revenue from 1869 to 1872 and during that period studied law, being admitted to the bar in the latter year. In 1877 he was elected city solicitor of Wilmington, and in 1878 was re-elected for a term of three years. He has been president of the Wilmington Institute and has had command of the State militia.

John P. R. Polk, of Wilmington, was born October 18, 1845, and is the descendant of Scotch settlers of 1660, who located in Maryland. He graduated from Nassau Hall, Princeton, in 1868, studied law with Thomas Francis Bayard and was admitted to the bar in 1872.

Henry R. Johnson was born in Mispillion Hundred, March 19, 1848, and is the son of ex-Senator Alexander Johnson and Williamini Johnson, the daughter of Hon. Henry M. Ridgely. Mr. Johnson was prepared for college at Prof. William A. Reynolds' academy, of Dover, and entered Washington College, Chestertown, Maryland, from which he graduated with credit in the year 1879. He entered upon the study of law with his uncle, Edward Ridgely, in 1869, and was admitted to the bar April 22, 1872.

John Reed Nicholson is the son of Hon. John A. and Angelica Killen (Reed) Nicholson, and was born in Dover, May 19, 1849. He was prepared for college



John F. Kennedy
President of the United States

HISTORY OF DELAWARE

the vessel was due to his meeting with them to receive the cargo.

He was a member of the United States court, to which he was appointed by Great Britain and Germany in 1806, and he participated with Simon Bolivar on the voyage to Peru, on the United States frigate "Medusa," to organize and negotiate a treaty with that nation. Mr. Bates left Washington on his return in July, 1807, having just completed his mission. He was married and gave his attention to the government in two years of the same year.

He has always taken an active interest in benevolent and educational enterprises, and is chiefly connected with the business interests of his city. He is an active member of the Delaware Historical Society and has actively assisted with the Waterbury Institute, and at our time is resident. He is also a director of the Farmers' Bank and of the New Castle County Insurance Company and other business corporations.

He is a member of the Protestant Episcopal Church, and was a delegate to the general convention of 1877, 1880 and 1883.

In 1872 he was married to Elizabeth Ballister, daughter of the Hon. Chief Justice Russell, of Cambridge, Massachusetts. Two children have been born of this marriage: Charles Taylor Russell and Donald Moore.

Charles F. Richards, of Sussex County, was born June 16, 1846, in North's Creek Hundred and was a son of John Richards. He received his college education in New Jersey, registered as a student in Georgetown University, and was a member of the Virginia, N. Y., was admitted to that city and also at Georgetown, and opened an office in that latter place in 1871. During the Civil War he served in the State Delaware Regiment. From 1870 to 1879 he served as chairman of the Republican Executive Committee of Sussex County and as member of the State Committee, and in 1872 was a member of the Republican National Convention, which met in Philadelphia.

Edward G. Bradford, son of the late Judge Edward G. Bradford, of the United States District Court of Delaware, and Mary Augusta (Hosworth) Bradford, was born in Wilmington March 12, 1848. After parental preparatory studies he entered the freshman class at Yale College in 1864 and graduated with honors in 1868. He read law with his father, and was admitted to the bar in May, 1871, and has since followed a successful profession in Wilmington.

In 1880 Youngs elected him a "Republican" and as a Representative in the State Legislature, serving the district of Wilmington and vicinity, and on the basis of a record of the Civil War, was made a member of the 60th Congress, to which he participated. He served in the House of Representatives, and in the Senate of the United States in 1881.

Robert C. Fraum, was born in Wilmington, January 15, 1830, studied law under the direction of John C. Sargent, and moved to the bar of New Castle County, May 1, 1850, and was admitted to the bar. He was a member of the New Castle County bar from 1850 to 1860, member of the bar of Delaware from 1860 to 1870, and clerk of the courts from 1882 to July, 1884.

Henry L. Pont, son of Charles L. Pont, was born in Brandywine Hundred, New Castle County, studied law with his half brother, Alexander Pont, and was admitted to the bar of New Castle County, May, 1871. Upon the establishment of the bar of the United States in New Castle County, he was appointed to the office and still holds the position.

Walter Cummins, the present judge of the municipal court of the city of Wilmington, was elected in July, 1884, is a son of the late Governor, and was born at Stevens, New York, where he prepared for college. He entered Princeton in 1860, and graduated in 1868. He served in the direction of the War. There he was elected a member of the bar of New Castle County, May, 1872, and he has been that time a law partner in Wilmington. He served the city for two terms and for several years was clerk of the trustees of the poor in the county.

Samuel A. McAllister is the son of a prominent stockholder, McAllister, and was born in 1849. Both parents died when he was years old, and he was left to make his own way in the world. Upon the breaking out of the war he enlisted as a private soldier, served three years, and was several times promoted. He was an assessor of internal revenue in 1864, and during that term attended law at the University of Maryland. He was a solicitor of Wilmington, and in 1878 was elected for a term of three years. He has been the Wilmington Institute and has been in the State militia.

John P. R. Polk, of Wilmington, was born in 1846 and is the youngest son of John P. Polk, who located in Maryland, of Nassau Hall, Princeton, in 1808. He was a member of the Delaware Bar and was a member of the State militia.

Henry R. Johnson was born in Maryland, March 19, 1838, and is the son of Alexander Johnson, and William Johnson, daughter of Hon. Henry M. Johnson. He was prepared for college at Princeton, and attended the University of Delaware, where he graduated with credit in the year 1857, and served with him in the war of 1861, and was admitted to the bar in 1862.

John Reed Nichols, of the bar, was born in Delaware, May 19, 1849. He is



Very Respectfully,
Henry C. Conrad

at the schools of Dover and Washington, entering Yale College in 1866 and graduating in 1870. The following year he joined a geological expedition in charge of Prof. O. C. Marsh, of Yale, in a trip over the plains, Rocky Mountains and the Pacific slope. While on this trip he was entered as a law student with Chancellor Daniel M. Bates. Mr. Nicholson in 1871 left Dover, and entered the Columbia College Law School, from which he received a diploma in 1873, and was admitted to the bar of New York City the same year, and practiced in that city until the autumn of 1876, when he returned to Dover and opened the present office. June, 1884, he was married to Isabella H. Hager, of Lancaster, Pa., a great-grand-niece of George Read, the signer. Mr. Nicholson was town solicitor from 1876-84, and also attorney for the Levy Court from 1884 to the present time.

James H. Hoffecker, Jr., born in Wilmington, April 13, 1850, graduated at Yale College; studied law in the office of S. M. Harrington, Jr.; admitted to the bar of New Castle County November 24, 1873; entered into partnership with his preceptor, and continued until his death, in 1878, and is yet in practice.

Aaron Conrad, father of Henry C. Conrad, the subject of the following sketch, was born near the "Blue Bell," in Montgomery County, Pennsylvania, December 25, 1805, and was by birth-right a member of the Society of Friends. He was known as a man of excellent business qualifications, and in all the active pursuits of life in which he was engaged he was signally successful. In his early days he was occupied in the business of milling; later, he went to farming, and continued thus until 1845, when he started the coal business at Nicetown. In this, as in his previous endeavors, he built up a thriving and prosperous trade.

In 1856 he came to Wilmington, and invested capital in land then in the suburbs of the city, selecting a portion of his purchase, on which he built himself a large and comfortable dwelling. He also erected a number of houses, which he quickly sold, and subsequently moved into the thickly-settled part of the city, where he continued to reside until his decease, December 31, 1878, at the good old age of seventy years.

Aaron Conrad was a man of a quiet and genial disposition, combined with a certain magnetism that quickly converted acquaintances into steadfast friends. He served in the City Council, where he represented the Fifth Ward.

Henry C. Conrad was born in Bridesburg, Pa., April 25, 1852. In 1856 he removed with his father to Wilmington, where he has since resided. He received his early education at the public schools, and read law in the office of Anthony Higgins, Esq.

In the year 1873 he graduated at the Harvard Law School, and was admitted to the bar in 1874. It was in this year that Mr. Conrad first appeared in public as a Republican speaker, whilst making an active

canvass of the State. In the political campaign two years later, he attracted public attention by the decisive and conspicuous part he achieved and the great service he rendered his party.

In 1879 he was appointed United States commissioner and supervisor of elections by Judge Bradford. In the same year he was elected a member of the Board of Education. In 1880 Mr. Conrad purchased an interest in the *Morning Herald*, a Democratic journal published in Wilmington, but changed its name to the *Morning News*, as well as its politics, which henceforth was devoted to Republican principles. The *Morning News* almost immediately sprang into popular favor, and it was characterized by a vigor that was as creditable to its proprietors as it was gratifying to its readers. It consequently enjoyed a good circulation. The articles from the pen of Mr. Conrad, which appeared in its columns, were incisive, clear and vigorous, and stamped him as an earnest and powerful writer.

In 1881 Mr. Conrad was president of the Board of Education, and in the following year he was president of the City Council. It was at this period he withdrew from journalistic duties, the *Morning News* having been purchased by the News Publishing Company. He now resumed his law practice. In 1885, being still a member of the City Council, he resigned from that body to accept the nomination for mayor on the Republican ticket.

Mr. Conrad commands the entire confidence and esteem of his fellow-citizens, and among his brethren of the Methodist Episcopal Church there is none more respected than himself.

Joseph A. Richardson, born in Wilmington July 13, 1849, studied law in the office of Benjamin Nields, and was admitted to the bar of New Castle County at the November term of court, 1874; opened an office in Wilmington in January, 1878.

Henry Clay Turner was born in Wilmington in 1849. At the age of sixteen he entered the army. He received his early education in the common schools and St. Mary's College, Wilmington. The education obtained in this manner was but the foundation of a large fund of general knowledge, and a classical education secured by his own exertions and private study. He entered upon the study of law with John O'Byrne in 1872, and upon that gentleman's removal to New York, Mr. Turner concluded with the Hon. Charles B. Lore, and was admitted to the bar of New Castle County May 24, 1875. In connection with Harry Sharpley, the law-firm of Turner & Sharpley was formed, and continued but a few years. In 1881 he was elected city solicitor and continued in that office until July, 1887.

Mr. Turner has been active in politics. Every campaign since his admission to the bar he has spoken for the Democratic party in all parts of the State, and his addresses are rich with wit and logic. His personal manners and genial disposition win for him many warm friendships.

John V. Rice studied law in the office of E. G. Bradford; was admitted to practice in New Castle County May 24, 1875, practiced for a time in Wilmington and finally settled in Chester, Pa., where he opened an office.

John H. Frazier was admitted to the bar December 4, 1876, and is in practice in Wilmington.

James L. Vallandigham was born in Red Lion Hundred, and admitted to the bar in Ohio, where he was assistant district attorney for Hamilton County. He returned to Delaware and was admitted to the bar of New Castle County December 4, 1876, and opened an office in Wilmington, where he continued a few years and then removed to Newark, opened an office, and was appointed justice of the peace.

Clifford James, born in Wilmington September 26, 1854, studied law in the office of Samuel M. Harrington, Jr., and was admitted to practice at the bar of New Castle County December 4, 1876, and began practice in Wilmington in 1878.

J. Ernest Smith, on the maternal branch of the family, is descended from Thomas Wollaston, who settled in the county in 1675, and is a son of Albert W. Smith, of Wilmington. He was born January 29, 1850, studied law under the direction of Victor Du Pont, and was admitted to practice in New Castle County May 14, 1877. He was appointed treasurer of the Wilmington Savings Fund Society in 1876, and served until 1884, and was also appointed solicitor, which position he still holds. He opened an office in Wilmington in April, 1884.

John Ponder Saulsbury was born at Georgetown, Sussex County, August 27, 1853, and is the son of Chancellor Willard Saulsbury. His early education was secured at Georgetown Academy and Professor William Reynolds' school at Wilmington. He prepared for college at Phillips Exeter (New Hampshire) Academy, and entered the University of Harvard in 1873, but was compelled to abandon a college course the next year on account of ill health. He entered upon the study of law in 1874, upon his return from college, with his father, and the same year moved to Dover and was admitted to the bar at Georgetown at the spring term, 1877, and opened an office in Dover; was appointed attorney for the Levy Court in 1879, and continued to act in that capacity until 1884. January, 1886, he was appointed Secretary of State by Governor B. T. Biggs for the term ending January, 1891.

Willard Hall Porter is a grandson of Judge Willard Hall, and a son of Dr. Robert R. Porter. He was born in Wilmington, April 7, 1854, graduated at Princeton College in 1875, studied law under the direction of the Hon. Daniel M. Bates, attended Columbia College Law School in 1877, and was admitted to practice as a member of the bar of the State of New York. Soon after his return to his native city he was admitted to the bar of New Castle County (May 17, 1886), and is now in practice in Wilmington.

Austin Harrington, son of Chancellor Samuel M.

Harrington, the junior member of the firm of Bates & Harrington, was born in Dover, November 5, 1854, studied law in the office of his brother, Samuel M. Harrington, Jr., admitted to the bar of New Castle County May 14, 1877. In 1877 he entered the office of Harrington & Hoffecker, and in October, 1878, became a partner of the firm of Bates & Harrington.

To Mr. Harrington is largely due the credit for the organization of the "Delaware Society for the Prevention of Cruelty to Children," and he has acted as solicitor of the society from its organization.

James Pennewill was born near Greenwood, Sussex County, June 16, 1854. He is the son of Simeon and Annie E. (Curry) Pennewill. He received his early education in the select schools of the neighborhood, and prepared for college at the academy of Professor William A. Reynolds, of Wilmington, from 1868 to 1871, entering Princeton College the latter year, graduating in 1875, when he entered upon the study of the law with the Hon. N. B. Smithers. He was admitted to the bar October 28, 1878, and entered upon its practice at Dover. He is now associated with George V. Massey.

Mr. Pennewill has always taken an active interest in politics, and is chairman of the Republican State Central Committee.

Samuel W. McCaulley, born near Wilmington February 12, 1837, studied law under the direction of Anthony Higgins, was admitted to the bar of New Castle County November 29, 1878, at once opened an office in Wilmington and has continued in practice from that time.

Harry Emmons, born in Wilmington April 5, 1854, studied law in the office of the Hon. Charles B. Lore, of Wilmington, admitted to practice November 30, 1878, and went in partnership with his preceptor.

John Biggs, a son of Governor Benjamin T. Biggs, was born at Middletown, October 15, 1855, graduated from Princeton with distinction, studied law under the direction of Victor Du Pont, admitted to the bar of New Castle County, December 1, 1879, and at once began practice in Wilmington. He was appointed deputy attorney-general April 7, 1885, and attorney-general April 4, 1887.

J. Frank Ball, the present city solicitor, is a native of Wilmington, and was born January 4, 1854; studied law under the direction of the Hon. Charles B. Lore, was admitted to the bar April 24, 1879; at once began practice in Wilmington. He was elected city auditor 1881, and served until 1887, when he was chosen city solicitor.

Lewis C. Vandegrift, a native of St. George's Hundred, was born August 27, 1855, entered the office of the Hon. George Gray and attended Harvard Law School from 1877 to '80, admitted to practice at the bar of New Castle County in November, 1879, and in 1881 began practice and is now of the firm of Bradford & Vandegrift, in Wilmington.

David T. Marvel, of Georgetown, was born Nov. 2, 1851, in Nanticoke Hundred, graduated at Princeton College in the class of 1873, studied law with Thomas F. Bayard, passed two years at Harvard Law School, was admitted in April, 1879, and has practiced law in Georgetown from that time.

Frederick A. Williams was born in Feeding Hills, Mass., November 17, 1846, removed to Dover, Del., in 1868, to engage in fruit-growing, was elected principal of the schools in 1871, and remained in that position until 1878, when he resigned to devote himself to the study of the law, which he had commenced in 1876, under the direction of N. B. Smithers, and in 1879 he was admitted to the bar. He removed, in 1882, to Colorado, where he now follows his profession.

William T. Lynam was born in Mill Creek Hundred, Del., September 11, 1859, studied law under the direction of the Hon. Charles B. Lore, admitted to the bar November 22, 1880, and at once began practice in Wilmington. He was appointed deputy judge of the Municipal Court of Wilmington in November, 1886.

Thomas Davis was born near Milford, Del., August 13, 1853, studied law in the office of the Hon. Charles B. Lore, admitted to the bar in Sussex County April 13, 1880, and began practice in Wilmington. He was appointed deputy attorney-general, April 5, 1887.

Robert C. White, born near the Draw bridge, in Broadkill Hundred, July 16, 1852, studied law under chancellor Willard Saulsbury, and was admitted to practice in Kent County, April 18, 1880, opened an office in Georgetown, where he is in practice.

William J. Black is a son of Dr. Charles H. Black, of New Castle. He studied law in the office of George Gray and was admitted to practice November 22, 1880, and began practice in Wilmington, and in 1885 was appointed consul to Nuremberg, where he now resides.

Charles Reynolds, Jr., was born in Wilmington, studied law under direction of William C. Spruance, admitted to practice November 28, 1881, practiced in Wilmington about one year and engaged in journalistic pursuits on the *Morning News* and *Every Evening*, and later established the *Baltimore Herald*, and died in 1886.

Richard Rolland Kenney was born in Little Creek Hundred, near Laurel, Sussex County, September 9, 1856, and was educated in the county schools, Laurel Academy, and graduated at Hobart College, Geneva, N. Y., June 1, 1877. He is the son of Samuel and Hettie Kenney, descendants of the earliest settlers of Sussex County. Immediately after his graduation he went to Texas, but shortly after returned and taught school in Accomac County, Va., until January, 1878, when he came to Dover and entered upon a course of legal study with Chancellor Saulsbury. January, 1879, he was elected State librarian to succeed George O. Shakespeare, and was admitted to the bar October 24, 1881. The Legislature re-elected him in

1881 librarian, to serve until April, 1883. While librarian he compiled the first catalogue ever prepared of the nineteen thousand volumes in the library.

He was appointed adjutant-general of the Delaware National Guard January 29, 1887, by Governor Biggs, and by his energy has succeeded in increasing the number of companies from six to ten. To his efforts is due the first annual encampment that was held at Rehoboth in August, 1887. His success as a lawyer has been rapid, and he has acquired a large practice.

Ezekiel T. Cooper was born near Willow Grove, North Murderkill Hundred, Kent County, January 5, 1858. He is a son of Samuel B. Cooper, who was Speaker of the Senate in 1883, and Sarah E. (Jackson) Cooper. He received his early education in the schools of the county and took an irregular course at the University of Virginia from 1876 to '79. In 1878 he entered upon the study of law with the Hon. Eli Saulsbury, and completed with James L. Wolcott, was admitted to the bar October 24, 1881, and opened an office in Dover, where he has since practiced. Mr. Cooper has always been active in politics, and in 1881 was elected reading clerk of the House of Representatives, and clerk of the House during the session of 1887. Governor Biggs, in November of 1887, appointed him judge-advocate-general of the Delaware National Guard.

George A. Elliott was born in Brandywine Hundred, October 30, 1855, and studied law in the office of Victor Du Pont, admitted to practice May 18, 1881, and opened at once an office in Wilmington.

Charles M. Curtis was born in Newark, Delaware, August 19, 1859, studied law under the direction of Anthony Higgins, attended Harvard Law School from 1878 to 1881, admitted to practice in New Castle County February 6, 1883, and opened an office in Wilmington.

Walter H. Hayes, born at Wilmington, August 7, 1858, studied law in the office of Victor Du Pont, and admitted to practice September 19, 1881, and soon after opened an office in Wilmington.

Tilghman Johnston, born in Erie, Pa., November 10, 1852, studied law in Wilmington and was admitted to practice in New Castle County November 28, 1881, and with Walter H. Hayes opened an office in Wilmington, where they are in practice.

Willard Saulsbury, Jr., son of Chancellor Saulsbury, was born in Georgetown April 17, 1861, studied law in the office of his father, admitted to practice in Kent County October, 1882, opened an office in Wilmington, where he is still in practice.

Herbert H. Ward was born in Sheffield, Vt., October 11, 1857, studied law in the office of William C. Spruance, was admitted to the bar in New Castle County in November, 1882, and at once began practice in Wilmington.

William T. Smithers was born at Frederica August 26, 1863. He is the son of Joseph and Mary (Town-

send) Smithers, and was educated by private tutors and at the academy of Prof. William Reynolds at Wilmington. He entered upon his legal studies in 1877 with Hon. N. B. Smithers, and was admitted to the bar October 21, 1882. Mr. Smithers has taken an active interest in politics, and was secretary of the Republican State Central Committee of 1882, in the most fiercely contested campaign ever in Delaware.

Francis M. Walker was born in Mill Creek Hundred November 28, 1848, studied law in the office of Anthony Higgins, admitted to practice in New Castle County December 12, 1882, and is now in practice in Wilmington.

Francis H. Hoffecker was born in Wilmington August 24, 1854, studied law under the direction of the Hon. Charles B. Lore and James H. Hoffecker, Jr., was admitted to practice in New Castle County December 12, 1882, and a junior member of the firm of Hoffecker & Hoffecker.

John K. Bradford was born in Wilmington November 30, 1856, studied law in the office of Victor Du Pont, admitted to practice May 15, 1882, and opened an office in Wilmington soon after, and continued until his appointment as register of wills, June 4, 1886, which office he still holds.

Lilburne Chandler, a native of Wilmington, was born January 24, 1858, studied law under the direction of Anthony Higgins, admitted to practice May 19, 1882, and opened an office in Wilmington in 1883.

John B. Moore is a native of Felton, Kent County, and was born in 1861. He studied law in the office of E. G. Bradford, and was admitted to practice November 26, 1883, and was appointed by President Cleveland, in 1887, third assistant Secretary of State.

Samuel D. Truitt was born in Caroline County, Maryland, 1860, and moved to Delaware after he had attained his majority and entered upon the study of law with C. H. B. Day, and was admitted to the bar October 27, 1884.

He was elected State librarian by the Legislature in April, 1882, and reappointed by Governor Charles C. Stockley. His term expired April 9, 1886, and shortly afterwards he removed to Washington, D. C.

Andrew E. Sanborn was born in Leipsic, Kent County, March 11, 1857; graduated from Lafayette College in 1881; studied law under the direction of Levi C. Bird; was admitted to the bar in New Castle County September 15, 1884, and is now in practice in Wilmington.

George T. Brown was born in Chester County, Pa., April 17, 1861; graduated at the Wilmington High School in 1880; studied law in the office of Benjamin Nields, of Wilmington, and was admitted to practice at the bar of New Castle County May 19, 1884.

J. Frank Biggs, son of Sewell C. Biggs, was born near Summit Bridge, Delaware, October 1, 1858; graduate of Lafayette College; studied law under the direction of the Hon. Charles B. Lore; was admitted to practice September 15, 1884, and is in practice in Wilmington.

Edw. D. Hearn was born in Dagsborough Hundred Jan. 22, 1859; studied law with Charles M. Cullen, of Georgetown, attended law school at Ann Arbor, Mich., was admitted to practice in Michigan, January, 1883, graduated in March following, and was admitted in Sussex County in April, 1884.

Charles L. Moore, son of the Hon. Jacob Moore, was born in Georgetown February 14, 1863, studied law with his father and was admitted in October, 1885.

Charles W. McFee, son of John R. McFee, a native of Georgetown, born October 27, 1859, studied with his father and was admitted April 14, 1884, since which time he has practiced at the Sussex bar, and is private secretary of Senator Gray.

Nathaniel B. Smithers, Jr., is a son of Hon. N. B. Smithers, of whom there is a sketch in another place. He was born in Dover, March 24, 1861. He was educated at the Conference Academy, of Dover, the Hill School of Pottstown, from which he graduated in 1882, and Lafayette College. He entered upon the study of law with his father in the autumn of 1882, and was admitted to practice April 25, 1886.

George Lodge, son of William C. Lodge, born in Brandywine Hundred October 15, 1861, studied law under the direction of the Hon. Charles B. Lore, admitted to the bar of New Castle County in November, 1886.

William S. Prickett, born near Mount Holly, N. J. April 19, 1863, studied law in the office of the Hon. Edward G. Bradford, admitted to the bar February 7, 1887.

William H. Boyce, son of State Auditor James H. Boyce, was born in Broad Creek Hundred, November 28, 1855, studied law with Alfred P. Robinson, and was admitted to practice at Georgetown October 10, 1887; and during the campaign for the Constitutional Convention he occupied a prominent position as a speaker.

THE WHIPPING-POST AND PILLORY.¹—The whipping-post and pillory, Delaware's "peculiar institutions" for the punishment of certain crimes, are still used in all three of the counties. There is considerable uncertainty as to the time of their introduction, but according to the chronicles of Diedrich Knickerbocker, it would seem that the whipping-post was not used in what is now the State of Delaware previous to the year 1656. In that year Jan Risingh, Governor of New Sweden, visited the Dutch Fort Casimir, situated where New Castle now stands, when Van Poffenburg, the commander, taxed all his resources to do them honor. He had his men drawn up in line, and marches and counter-marches were given in honor of his guests. A sumptuous dinner was served, but before taking their seats around the table three prisoners were brought out and soundly flogged, for the purpose of impressing on the minds of the Swedes the discipline which he maintained in the colony.

October 19, 1662, the Dutch Governor, Hinijoma,

¹ Prepared by W. R. Long.

sentenced one Turck to be hung, his head cut off and placed upon a post at Horekill.

Christopher Billop, commandant at New Castle in 1677, had a man named Francis Jackson "put in ye stocks" on September 26th of that year, for engaging in a disturbance at the fort.

The first sentence of whipping of which any record can be found in Sussex County is April 9, 1688, when the man who kept the tavern where the court met was ordered to be whipped for some offense, but the sentence was afterwards suspended for one year and four months, and it is more than probable was never executed.

April 3, 1679, the following sentence was passed upon a woman: "Agnita Hendricks, being heretofore presented for hooring, and having three bastard children one after another, the Court doe, therefore, think just to order and sentence that she, the said Agnita Hendricks, be publicly whipped twenty-seven lashes, and pay all costs." Notwithstanding this severe sentence this woman again sinned, and the next year she was whipped with thirty-one lashes and banished.

In 1669, when Francis Lovelace was Governor, he sentenced one Konigsmarke, known as the "Long Finn, to be severely whipped, and to be stigmatized with the letter R branded upon his breast," for being a rebel and opposing the Governor's authority. In addition to this, he was also ordered to be sold as a slave to the planters of Barbadoes. Other cases of whippings are mentioned in the few records which can be found of those early days in the history of the State.

These whippings, however, seem to have been inflicted at the pleasure of colonial authorities until the year 1717, when the "General Assembly of the counties of New Castle, Kent and Sussex upon the Delaware, and the Province of Pennsylvania" was held. At that time William Keith was Governor, having assumed the duties of the position May 31, 1717, and served until June 22, 1726. This General Assembly passed "An act for the advancement of justice and the more certain administration thereof," in which murder and several other crimes were made punishable by death, while larceny and a number of similar offenses "are to be punished the same as provided by the laws of England." As the offenses enumerated were at that time punished by whipping in that country, it is but reasonable to suppose that this was the intent of the act; consequently the year 1717 was the period when corporal punishment was legally introduced into Delaware by the local government.

In addition to whipping, the pillory, stocks and crapping were also introduced, and a number of instances of their being inflicted are found on the records. In 1789 a negro convicted of felonious assault was sentenced to stand in the pillory four hours "with both ears nailed to the pillory," and "before he be taken down from the same, he shall have both

his ears cut off close to his head." In those days the prisoner who had been whipped was obliged to wear the letter T one inch wide and four inches long, made of red flannel, and sewed on his outer garment, either on the arm or between the shoulders.

This provision was in latter years abolished and the convict's jacket substituted, which he was obliged to wear for three or six months, according to the sentence of the court, after he was released from jail. The object of this was no doubt for the purpose of driving criminals out of the State, as it is scarcely probable that a discharged prisoner would wish to remain in a place where he was obliged to wear for months a badge publishing the fact that he was a criminal. Some years ago this section of the criminal code, providing for wearing the convict's jacket, was repealed by the General Assembly, but for some time previous it had been a dead letter.

In 1829 a colored woman named Sarah Ann Morris, who had been convicted of larceny, was sentenced "to pay the costs of prosecution, \$54.06 restitution money to William Stephens, the owner of the property stolen and not recovered, with the further sum of \$39.25, being the value of the property recovered, and that on Saturday, December 19th, between the hours of 10 o'clock in the morning and 2 o'clock in the afternoon, she be publicly whipped with twenty lashes on her bare back, well laid on, and shall be disposed of as a servant to any person or persons residing within this State, for the highest sum that can be obtained for such term as shall be necessary in order to raise the restitution money and all costs, or any balance thereof that may remain after such payment as the offender may be able to make, provided that such term shall not exceed seven years." The sentence was executed to the letter, and the woman was sold on January 1, 1830. The bidding was not spirited, and she was sold to Henry File for fifty cents.

The administration of justice in those days was not confined to the State courts, as the justices of the peace in the different hundreds would meet on specified occasions, and dispose of such business as might be brought before them. They had the power to sentence a prisoner, to receive corporal punishment, and the sentence was generally carried into effect at once, the lashes being laid on by the constable. The same plan was at one time the custom in the city of Wilmington, and the punishment was administered with a rattan in the hands of a city constable, either in the yard in the rear of the City Hall, or in the basement of that building.

In Kent and Sussex Counties the whippings are administered with an instrument resembling the stock of a carriage whip, but in New Castle County a "cat o' nine tails" is used, the stock of which is twenty inches long, and the nine lashes twenty-four inches each. The whipping-post at New Castle is situated in the jail-yard, but all corporal punishment is public, the gates being opened so that all who choose can enter.

The post is about one foot square, and with the pillory, which is above, about fifteen feet in height. On each side of this post, and about five feet above the ground, there are iron clasps fitting over staples, in which the wrists of the prisoner are placed. The courts of New Castle County are held in February, May, September and November, and a prisoner is generally sentenced to be whipped or to stand in the pillory on the Saturday following his conviction. The culprit is stripped to the waist, and after being brought out is fastened to the post by the wrists, when the warden announces to the sheriff the number of lashes he is to receive, when that official applies the whip, while the warden standing on the opposite side keeps count of the number, which in no case must exceed that prescribed by the court. A singular case happened a few years ago, being that of a half-witted colored man, who pleaded guilty to an indictment charging him with larceny, and was sentenced to receive five lashes.

He seemed to have a great dread of the punishment, and after he was fastened to the post succeeded in freeing his left wrist from the fastening. The consequence was that he was enabled to dodge the blows, and it is doubtful if he received two out of the five. When the warden announced the full number, the fellow suddenly became very quiet, and the sheriff, no doubt irritated at his persistent dodging, improved the opportunity to bring the lash down across his back in a manner that made him jump about a foot from the ground. Nothing was thought of the matter until the next term of court, when the negro, having completed his three months' imprisonment, called on the attorney-general and made a demand for damages for the extra lash given by the sheriff on his own responsibility. The matter was brought to the attention of the court, when the chief justice remarked that it was a case without a precedent, and that the only way he knew of settling it was to credit the prisoner with one lash on the records of the court, as he was sure he would be back again, when it would be allowed in passing sentence.

The lash is no longer used in the case of women, it having been abolished, as far as they are concerned, several years ago. It formerly was also the law to impose sixty lashes, in addition to imprisonment for life, in the case of persons convicted of murder of the second degree, but the lashes in such cases have, by an act of the Legislature, been remitted. The laws of Delaware provide twenty lashes for any one convicted of having set fire to any ship, vessel or

building, except a dwelling-house, arson in the latter case being punishable with death. For setting fire to a court-house, or other place where public records are kept, sixty lashes; burglary, not less than twenty nor more than forty lashes; highway robbery, fifty lashes; horse-stealing, twenty lashes; buying or receiving stolen goods, knowing them to have been stolen, twenty lashes; larceny, from five to twenty lashes. It is but seldom in cases of larceny that the prisoner is sentenced to receive more than ten lashes, while five is frequent, especially where it is a first offense.

In all cases of larceny, where the verdict is accompanied with a recommendation to the mercy of the court, the lashes are remitted. The whippings of the present day have been pronounced a mere farce, so lightly is the lash laid on, as the punishment, as far as this is concerned, rests altogether with the sheriff, and each succeeding sheriff for years past has seemed to vie with his predecessor in applying the lash lightly.

The pillory is on a platform above the whipping-post, and is a part of it. This platform is held in place by numerous stays underneath, while that part of the post above the platform has a cross-beam about five feet above the floor. The arms of this beam on each side of the post consist of two pieces, the upper ones being movable, and fastened with a hinge, so that they can be raised up. Each of these arms has three openings—one for the prisoner's head and the other two for his wrists. When a prisoner is to be placed in the pillory the upper part is raised, and after he has placed his head and wrists in the openings, the movable piece is shut down on the back of his neck, and secured with a clasp at the end, and the victim is held as securely as though he was in a vice. The pillory is used as a punishment for burglary, highway robbery, assault with intent to kill and several other felonious offenses, but not for larceny. Some years ago it was the custom to allow any one sentenced to the pillory to be pelted with rotten eggs and other missiles, but that has been abolished; still, the prisoner has to suffer the inconvenience and shame—if he has any sense of shame left—of being stared at by a heterogeneous crowd, consisting of men and boys, and sometimes women. Such is Delaware's peculiar institution, and while it is certain that it has but little, if any, effect in preventing petty larceny, it is equally certain that the greater criminals of other States are deterred by it from trying their experienced hands on Delaware's banks or large business establishments.

APPENDIX.

ROSTER OF DELAWARE VOLUNTEERS IN THE WAR OF THE REBELLION.

[The missing rosters are not on file in the Adjutant General's office, at Dover, and the editor could not secure them from Washington in time for publication.]

FIRST REGT. DELAWARE INFANTRY VOLUNTEERS.

Field and Staff Officers.

a, killed in action; b, died of wounds; c, wounded; d, died of disease; e, died from accident.

| | |
|----------------------------|----------------------------------|
| <i>Colonel.</i> | <i>Regimental Quartermaster.</i> |
| Daniel Woodall. | Edwin A. Bryan. |
| <i>Lieutenant-Colonel.</i> | <i>Surgeon.</i> |
| Joseph C. Nicholas. | Joseph W. McCullough. |
| <i>Majors.</i> | <i>Assistant Surgeon.</i> |
| John T. Dent. | Benjamin B. Groves. |
| Wm. F. Smith. ^b | |
| <i>Adjutant.</i> | <i>Chaplain.</i> |
| Theodore Palmatory. | Thomas G. Murphy. |

Supplement.—The field and staff officers of this regiment were composed of one colonel, one lieutenant-colonel, two majors, one adjutant, one regimental quartermaster, one surgeon, one assistant surgeon and one chaplain, making a total of nine officers that were mustered out October 11, 1864.

Non-commissioned Staff Officers.

| | |
|-------------------------|---------------------------------|
| <i>Sergeant-Majors.</i> | <i>Quartermaster-Sergeants.</i> |
| William W. Davis. | John G. Raymond. |
| Joseph C. Nichols. | Richard E. Hayes. |
| Charles B. Tanner. | Washington F. Williams. |
| David W. Gemmill. | James M. Bryan. |
| Andrew Walls. | |
| John T. Dent. | <i>Commissary-Sergeants.</i> |
| H. H. Darlington. | Louis J. M. Pennington. |
| John W. Eckles. | James Kettlewood. |
| John L. Brady. | Edwin H. Bryan. |
| Samuel A. McAllister. | William J. Birney. |
| Allen Tatem. | |
| James D. Simpson. | <i>Hospital Stewards.</i> |
| Benjamin Y. Draper. | Moses Magee. |
| John W. Barney. | Joseph E. Booth. |
| Evan P. Grubb. | |
| James H. Barbour. | |

Supplement.—Sixteen sergeant-majors, four quartermaster-sergeants, four commissary-sergeants and two hospital stewards, or twenty-six officers, constituted this staff during its term of service and its final mustering out, July 12, 1865.

Company A.

| | |
|-----------------------------------|-------------------------|
| <i>Captains.</i> | <i>First Sergeants.</i> |
| Evan S. Watson. ^a | Charles Collier. |
| James P. Postles. | Jacob Datton. |
| Thomas M. Wenie. | |
| Aquila M. Hizar. | <i>Sergeants.</i> |
| <i>First Lieutenants.</i> | William Caywood. |
| — Joseph E. Booth. ^c — | Thomas Chambers. |
| James M. Bryan. | Joseph Cameron. |
| Franklin Houseman. | Hugh Duffey. |
| George J. Price. | John H. Edwards. |
| William Smith. ^a | Patrick McMonagle. |
| Washington F. Williamson. | James A. Martin. |
| Edwin Bryan. | Charles Platt. |
| | Ezekiel Walker. |

William Warren.^a
Joseph Cameron.
James A. Martin.
John Webb.^a

Corporals.

Henry Pusey.
Thomas Davis.
Lewis Christy.
James Cain.
— George W. Johnston.
Michael Hizar.
James B. Currey.
Martin V. Lodge.
William Simpson.
John Brierly.^a
Adam Huhn.^a
Samuel Weir.^a

Musicians.

David Founda.
Charles Willbank.
John Maloney.^d

Privates.

Adams, Jacob
Armstrong, Hugh
Alexander, Samuel
Alexander, Robert
Alger, William^b
Armstrong, Richard
Alexander, Egbert D.
Boyd, James
Bader, William
Buckston, Thomas B.
Burnett, Robert
Brown, Edwin
Burnett, William
Bradford, Lewlyn
Bear, John
Brown, William^c
Boileau, James P.
Barney, John P.
Barber, William
Barber, George
Brown, Julian
Brown, William
Bassett, Peter
Brierly, Robert
Burton, John^c
Boga, Alfred
Cooper, William
Collins, James
Cork, Hugh
Curtis, Evans
Cossens, Henry.
Calhoun, Jasper^a
Crow, John^b
Cox, Benjamin^b
Castis, William
Colwell, John
Champton, William
Conner, Francis
Conner, Martin
Cunningham, Mark^c
Colwell, John^c
Cunningham, Lewis
Coleman, John R.
Conner, Daniel
Carr, James
Derren, John
Daniels, Samuel
Dooley, John
Dressen, Henry
Downs, Jacob
Dickson, Daniel
Darlington, William
Dryer, Henry
Delany, Thomas
Davies, Jacob
Dennison, James
Ellis, Archilles
Edwards, John
Falkner, Lewis
Farlow, Benjamin F.
Farrell, Henry
Forrest, Thomas B.
Fallabour, Joseph
Fee, James A.
Fryer, Edward G.^c
Ferrel, Oscar^c
Farrel, Jesse D.^c
Gillespie, Thomas
Gillhouse, John
Goodrich, Henry
Gots, Adolph
Greenfield, William
Geor, William^c
Glasgow, Edward
Green, William
Gordon, Joseph
Hanson, William
Hersh, George
Higgins, Charles J.
Heck, John
Hunt, Julian
Haskins, Thomas^a
Hinkle, Charles^d
Hobart, Samuel
Honey, Joseph
Hanocks, John
Heck, John L.
Hyatt, Jacob^c
Hill, George M.
Hayes, Richard E.
Ingraham, Edward
Joins, George
King, Thomas
Kelly, Michael
Kelly, Joshua^c
Kenny, Thomas
Kirk, John D.
Kensler, Adam
Kensler, Charles
Kerbaugh, John J.^c
Kenny, James
Lee, Benjamin F.^a
Lindsey, John^a

Company A, First Regiment—Continued.

Lock, William b
Lang, Daniel
Lamplugh, Thomas
Long, James
Long, Alfred
Lockwood, Alfred
Mahler, John
Measner, August
Marria, John
Miller, Henry
Mancy, James
McGlinchey, Edward
Miller, William
Moore, John
Malden, Green
Maddox, George
Morris, J. K. P.
Mattal, John
Myar, David R.
Marshall, John
McGarrity, John a
Mosely, Edward a
McKee, Jacob D. a
McGuire, Herman
McBride, Michael
McBride, Charles
McDonald, John
Manstaffer, George
Murphy, James
Minch, Lewis
Mathewe, Michael
McGuire, James c
Miller, Charles c
McCann, John
Marshall, John
McKee, James
Nelson, Andrew
Nelson, Alfred c
Ozler, John
Ogder, George
O'Brian, John
Phillips, James

Peterson, John
Pierce, James H.
Pitt, Joseph
Postles, William G. c
Quillin, James
Roberts, John
Rodgers, John T.
Rodgers, James A.
Reed, William
Rhodes, Joseph
Rambo, Charles
Sanders, Charles W.
Stanford, Charles
Seeds, Samuel H.
Shear, Adam
Schwonk, Washington
Shepherd, Eli a
Shaw, Robert a
Sullivan, John
Sheppard, John c
Sheppard, Benjamin F.
Sweeney, John
Thompson, John
Tindle, Miles d
Temple, James H.
Thorp, William
Thomas, James
Taylor, Frederick H.
Thompson, John
Tepo, Bernard
Urry, James B.
Veach, William
Warner, Herman
White, John W.
White, James G.
Witley, John
Williams, George c
Williams, William
Walker, William
Winson, William
Winstow, Charles H. c
Zeigler, Emil.

Privates.

Anderson, John
Banner, John
Barney, William
Burns, Michael c
Burns, John
Banner, George d
Brown, John H. d
Buckworth, Benjamin
Barnard, Morris
Brant, George
Bowden, John
Bryer, James
Baily, John
Beckley, William
Cabbage, Luther
Cook, James
Crammer, Julius
Cutting, James
Collin, Edward
Cochrane, Samuel a
Chaffin, Enoch a
Creller, Samuel a
Chaffner, Hans. J.
Canning, Henry
Carroll, William
Clau-b, Henry
Collins, Lemuel
Cunningham, Stephen
Cornish, James
Devenish, John
Davis, George
Decaver, James
Daily, Martin a
Dolan, Thomas d
Davidson, John
Deckline, William
Dobbs, Henry
Elliott, Spencer
Evans, George
Elliott, James
Fisher, Samuel
Flemming, John
Fletcher, James
Ferguson, Levi
Fleehman, John
Foreacre, Joseph
Ferguson, Jefferson
Fernan, Thomas
Forrest, Samuel
Griffith, Richard
Guthrie, Benjamin
Graham, Samuel
Gallagher, Michael
Grant, William R.
Galloway, James
Gamble, James a
Getto, Joseph
Gallagher, Daniel
Gribbin, William
Garrity, James
Garrity, William
Halverson, Thomas
Hinter, Samuel
Hoops, Phillip
Hoops, William
Horn, John K.
Hurley, George
Hodgson, George H. d
Hamilton, Eli d
Hamilton, William
Hall, James A.
Hines, Philip
Hasson, William
Holmes, Thomas c
Hunt, John R.
Hamilton, John E.
Jefferis, Elias
Jones, Henry C.

Johnston, George H.
Keighn, George
Kelly, Neal
Kain, James
Kelley, Edward
Kennedy, James
Lattimer, Thilliam c
Laws, Thomas c
Lambert, Francis
Laughlin, Samuel a
Longion, William d
Lutchwich, Charles
Lawson, Hiram B.
Lenhardt, Conrad c
Livingston, William
Lockard, William
Lahy, Fergus
Lollar, Michael
Miller, Peter
Miller, George
Moore, Lewis A.
Merritt, John
Mallett, Gilbert
McGlory, John
McCoy, James
McConnell, James
McKinnor, John
Moore, Robert
Murray, James
Morris, Samuel H.
McCullen, Charles a
Miller, Mathew
Mannering, Michael
Mannering, Peter
Mannering, James c
Murray, James
Mooney, Hugh
Moreland, George
McCullen, Thomas c
McCann, James
Outter, Perry
Palmer, Clement
Pugh, Taylor
Parks, William
Porter, James
Phillips, Frank
Peeney, Charles
Quillin, William
Quigley, Michael
Raymond, Nicholas
Rozell, James
Rickards, William
Richardson, John L.
Rhody, Harris
Richie, John
Russell, Edward
Russell, Samuel C.
Slider, Frederick
Smith, John
Smith, Samuel
Smith, Washington
Shultz, David
Shaw, William a
Smith, William a
Shaffner, Joseph a
Simpson, James a
Sinnox, Thomas a
Sheppard, Thomas
Sweeney, Michael
Steward, Ezekiel
Scotten, William
Simpers, Henry
Turner, Thomas
Thatcher, George
Thomas, Robert a
Tinning, James b
Timpson, George
Vickars, Edward
Walraven, Isaac

Supplement.—Four captains, seven first lieutenants, two first sergeants, thirteen sergeants, twelve corporals, three musicians and one hundred and eighty-seven privates, making a total of two hundred and twenty-eight men, constituted this company during its term of service and its final mustering out, July 12, 1863. Two commissioned officers were killed in action and one was wounded; five non-commissioned officers were killed in action and one musician died of disease; eleven privates were killed in action, seventeen were wounded, four died of wounds and two died of disease.

*Company B.**Captains.*

John W. Barney.
James Leonard. a
Joseph C. Nicholls.

First Lieutenants.

Matthew Macklon.
James Onte.
Henry Curry.
Albert Nones.

Second Lieutenants.

James Rickatta. a
Samuel A. Macallister.
James M. Bryan.
Joseph E. Booth.

First Sergeant

Samuel Lodge.

Sergeants.

John W. Seigwick.
Caleb Toggs.
John Lahy. c
John Derrickson.

William H. Pyle. d
Benjamin Bogie. c
Thomas Seymour. a

Corporals.

Lewis Barber.
Samuel H. Hopkins.
James Morgan.
John C. Helm.
Harry Beck.
John Hollings.
James Gribbin. a
Andrew Hansl.
Mathew Rodgers.
John L. Hedrick.
William Barnes.
Nelson Wood. a
Solomon Gregg. a
Nicholas Howard. a

Musicians.

William Maloney.
Lewis A. Jones.

Company B, First Regiment—Continued.

| | |
|---------------------|------------------|
| Wilkinson, Thomas | Warren, George d |
| Wilson, James A. | Ward, James |
| Wilds, Mark | Welch, Richard |
| Walker, Thomas | Witcraft, John |
| Wilson, Bayard M. a | Zebley, Anthony |

Supplement.—Three captains, four first lieutenants, four second lieutenants, one first sergeant, seven sergeants, fourteen corporals, two musicians and one hundred and sixty-seven privates, making a total of two hundred and two men, constituted this company during its term of service and its final mustering out, July 12, 1865. Two commissioned officers were killed in action; four non-commissioned officers were also killed in action, three were wounded and one died of disease; fourteen privates were killed in action, one died of wounds, seven died of disease and seven were wounded.

*Company C.**Captains.*

James Rickards. a
Neal Ward. a
William F. Smith. c
George T. Price. a

First Lieutenants.

Emanuel W. Hilt.
Francis McCloskey.
James Kettlewood. c
Andrew Walls.
James Lewis. c

Second Lieutenants.

Hugh Sweeney.
John L. Brady.
William Marsh.
Benjamin Y. Draper.

First Sergeants.

John Dickerson.
James Bennett.

Sergeants.

William Anderson.
Andrew W. Jones.
Robert M. Joseph.
Samuel McClean.
Samuel Paxton.
John Bradley.
Washington J. Butler.
William Carr.
Thomas Halvey.

Corporals.

Caleb Woodrow.
John Donnelley.
Samuel Rutter.
Francis McKenney.
Thomas H. Murphy.
William Anderson.
Joshua Green.
William Miles.
William T. Smith.
Simon Maddy.
Warner M. Paxton.
Patrick McGarrity.
John Hugh.
Michael McCarty.
William L. Wilson.

Musicians.

John Selsor.
Francis Murphy.
Jacob August.
Thomas Vandier.
Joseph McCloskey.

Privates.

Atwell, George
Adams, Charles
Adams, Richard
Armstrong, Hugh
Asbell, William

August, John
Aloy, Thomas
Brooks, John
Burton, James
Bradley, Ferdinand
Butler, Edward
Rutler, Washington J.
Barnaby, Joseph
Boyle, Manna, Sr. a
Boyle, Manus, Jr. a
Beggs, William Henry a
Beard, Patrick
Bowlan, Charles W.
Bateman, Enos
Butler, John
Brown, Frank
Barton, John
Cameron, Thomas
Connelley, George
Cole, Thomas
Clinton, Kiltner
Collins, Isaac I.
Conner, Hugh a
Creighton, Frank
Conahan, James
Carter, George
Callan, Edward
Chambers, George
Carson, James
Duncan, John
Downs, Joseph
Dennis, Levi

Dougherty, Phillip
Dillehey, John
Donohoe, John
Dougherty, James a
Duffy, Daniel a
Donnelly, Luke d
Dougherty, Hugh d
Dennis, John d
Donnelly, William
Draught, John
Diddertine, John
Doyle, James b
Eanis, Frank N.
Ellis, Isaac
Elliott, James
Evans, Jacob A. d
Ervan, Joseph
Frank, George
Ferguson, Thomas H.
Furman, Julius R.
Fry, Orlando
Francis, John
Ferguson, James
Foyle, Edward
Fey, Robert
Green, John C.
Giddings, Andrew
Garden, Benjamin F.

Hill, Isaac
Hayes, Alonzo
Hussey, William D.
Hill, William
Hines, James
Hitchins, Samuel P.
Hyatt, Edward
Hamilton, James
Harrington, Warren c
Hiner, John
Hayes, Michael
Hill, Andrew
Igians, Charles a
Imes, Henry
Jerels, Jonathan a
Jenkins, Maiten P.
King, William
Layton, Henry
Littleton, Jesse B.
Leach, John
Lewis, James G.
Lewis, Stephen P.
Lawrence, David
Lewis, John
Messick, Edward M.
Moore, Thomas
Mullen, Thomas H.
Marvel, Lemuel H.
McCarren, Charles
McPherson, John
McCullough, John
McCullough, Robert b
McCloskey, Bernard a
Mesa, Patrick
Murphy, Thomas
Maddy, Patrick
McCloskey, Patrick
McCloskey, James
McWade, John
McCarty, John
McGowan, Patrick
Martin, Theodore
McCarren, Bernard
Naylor, John
Nolen, Charles W. c
O'Neill, Turpin
O'Reiley, James (1)
O'Reiley, James (2)
O'Neal, John a
O'Brian, Patrick b

O'Neal, Thomas d
O'Neill, Henry
O'Conner, Edward
Prettyman, Asbury
Palmer, Laban B.
Powers, John
Pettitt, Pierson W.
Plunkett, John
Queen, James
Rutter, Morris
Rickards, John W
Russell, Theodore
Rice, Joaquin Antoni Del.
Richter, Joseph
Roach, Stephen
Robenett, Benjamin F. d
Russell, Samuel S.
Sutherland, Charles
Smith, Henry
Short, Elijah
Stokely, William
Simmons, John R
Short, Frank
Sawyer, William H.
Sigfrel, Levi
Short, Jackson
Sullivan, Thomas
Short, Francis
Short, John S.
Short, Isaac
Smith, Winfield S.
Schools, Thomas
Shewlin, Patrick
Towers, James S.
Vinson, Isaac d
Wells, Benjamin F.
Wilson, Caleb
Woods, Peter
Walker, Greer
Warfield, John
Williams, William S.
Williams, James
Williams, John
Wann, Joseph
Walsh, James
Walls, James
Wright, Charles
Workman, Thomas
Wright, James
Zebulon, Thomas

Supplement.—Four captains, five first lieutenants, four second lieutenants, two first-sergeants, nine sergeants, fifteen corporals, five musicians and one hundred and sixty-five privates, making a total of two hundred and nine men, constituted this company during its term of service, and its final mustering out, July 12, 1865. One commissioned officer was killed in action, one died from accident and four were wounded; nine privates were killed in action, two were wounded, seven died of disease, three died of wounds and one died from accident.

*Company D.**Captains.*

Wm. J. Birney.
Evan P. Grubb.
Enoch P. Smithers.
David Yardley.

First Lieutenants.

James D. Simpson. b
Thomas D. Smith.
Charles D. Tanner.

Second Lieutenants.

William Ellison.
William McCoy.
William F. Smith.

Sergeants.

James B. Boom.
Llewellyn T. Davis.

Benjamin Y. Draper.
C. Walker Davis.
Charles W. Davis.
John T. Johnson.
Frank Mayhew.
Henry McCartney.
John McRevel.
David S. Riggs. a
James E. Thomas.
John T. Thompson.
Joseph H. S. Ward.

Corporals.

William Banning.
Samuel Cauffman.
Charles Cooper.
John S. Corker.
Charles R. Cramson.

Company D, First Regiment—Continued.

Curley Martin.
Henry Hennings.
James B. Mahon.
Edmond S. McCauley.
William J. Murphey.
William Reynolds.
Charles W. Solloway.
Solomon H. Townsend. *d*
Isaac Sparks.
Samuel J. Stevenson. *d*
William C. Truitt.
Perry Wright. *d*

Privates.

Abel, John H. *a*
Artiste, Joshua C. *b*
Banning, Alfred
Banning, Samuel
Beach, William
Bell, Oliver L. *c*
Blades, Major G. *b*
Boswell, Robt. B.
Bowers, Abel
Brady, James
Briael, John
Brown, Caleb F. *c*
Brownmiller, Levi
Burk, John *c*
Calhoun, Benj. B.
Callaghan, John
Carlan, Charles *d*
Carlan, John *a*
Clark, William *c*
Collins, Charles H.
Collins, John H.
Connolly, Michael *c*
Connor, Hugh *a*
Curry, Thomas
Devine, Stephen L.
Devlin, James
Devlin, James J.
Dill, Samuel S.
Dill, Samuel S. *c*
Disama, Edward
Dorsey, William D. *a*
Dougherty, John
Dougherty, Patrick
Douglass, Armor
Elliott, Andrew V.
Faah, Francis
Fergen, Charles
Flanagan, Henry
Ford, William
Foster, Frank
Francis, Melchur
Gallagher, Daniel
Gamford, Charles
George, John *a*
Gottins, Patrick
Gilsenen, John
Goodwin, Daniel *d*
Green, David R.
Green, Thomas
Griffin, John W.
Guest, John
Hamilton, William *a*
Haley, Patrick
Hall, Henry D.
Hand, Alexander
Harrington, Alexander
Harrington, Warren
Harrison, George W. *c*
Hayes, Henry N.
Henny, William J.
Henry, Michael *d*
Hepley, Edward
Hess, John W.
Holt, George

Howard, George H. *a*
Howard, John
Howden, James H.
Hoyt, Charles H.
Jaines, Alfred
Johnson, James
Jones, George
Jones, George F.
Jones, Thomas
Kehou, James
Kintanna, Manuel
King, Michael
Knight, John H.
Kramer, John W.
Lane, James
Landt, Francis W. J.
Lannagin, Thomas
Leech, Charles H.
Leech, Joseph F.
Legg, George W.
Legg, John
Lewis, William *a*
Lloyd, John S.
Loffland, Benjamin
Loffland, David
Loamie, Winfield W. J.
Manlove, James G. *d*
Manlove, James L. *d*
Martin, Hugh
Massay, James J.
McCarty, James
McCarty, Nicholas
McClure, Samuel
McGuire, Francis
McKay, Frederick *c*
McMichael, Solomon
McNatt, William J. M.
Minor, Luther
Montgomery, Ignatius
Moore, Nicholas
Munson, Henry
Murray, Sylvester
Nicholas, James
Nickerson, William H. *d*
Norris, Henry
O'Connor, Charles
Parker, Frederick L.
Parker, Thomas H.
Parris, John
Parvis, Henry J. *b*
Passwaters, William B.
Patterson, William
Phalan, Francis
Phillips, James C.
Pierce, John
Piper, William
Plummer, Robertson W. *b*
Poore, John *a*
Powers, John
Quinn, Edward *a*
Roach, William
Robinson, George J.
Robinson, Reuben
Rodgers, John
Rudolph, William
Shay, James
Shilcut, Joshua
Shultz, August
Shultz, John *a*
Smith, David
Smith, Lewis C. L.
Snow, Robert *c*
Tahan, Patrick
Thomas, John R.
Thomas, Samuel
Vaneredale, John
Watts, St. Clair
Welsh, James

Welsh, John
White, Thomas
Whitesides, John
Williams, Francis S.
Wilkins, George *d*
Williams, William S.
Wittle, August
Wolfe, Erasmus *a*

Wood, William J.
Wooders, Albert C.
Yeoman, Matthew *d*
Yoder, Lewis B.
Zimmerman, Charles
Zimmerman, Charles
Ziesig, Charles

Supplement.—Four captains, three first lieutenants, three second lieutenants, thirteen sergeants, seventeen corporals and one hundred and fifty-eight privates constituted this company during its term of service and its final mustering out, July 12, 1865. Total number of men in company, 197. One commissioned officer died of wounds, three non-commissioned officers died of disease, thirteen privates and non-commissioned officers were killed in action; four privates died of wounds, eight privates died of disease, thirteen privates were wounded.

*Company E.**Captains.*

Charles M. Davis.
Martin B. Ettegood. *b*
William P. Seville.
Edward P. Harris.

First Lieutenants.

John M. Dunn.
John L. Brady.
William Y. Swiggett.

Second Lieutenants.

David W. G. mmil.
Albert S. Phillips.

First Sergeants.

Henry Hickman.
William J. Stewart.
Joseph C. Nicholls.

Sergeants.

John R. Hobbs.
John M. Williams.
Alexander Kneass.
David Landis.
John C. Carey. *a*
Benjamin B. Sempler. *d*
David M. Sempler. *d*
Charles I. Steel.
James H. Vincent.
John M. Paynter.
James H. Smith.
Charles F. Holland.
William P. Watson.

Corporals.

Chester C. Hafer.
John Robinson.
Thomas Killen.
James Moran.
John Wolfe.
John H. Holledger.
George W. Welsh.
Patrick McBride.
Robert F. Burrows. *b*
Charles P. Prettyman. *b*
Lemuel J. Green. *b*
William M. Ander. *d*
Richard Hickman. *d*
William E. Joseph. *d*
Edward Bailly.
Michaelas Barthold.
James H. Martin.
George R. Ellis.
Joseph W. Johnson.

Musicians.

Frank Van Englegham.
Charles H. Jenkins.
Henry Hammond.
William T. Rogerson.

Privates.

Adams, Napoleon
Allison, William
Ames, Fisher
Atkins, William H.
Booth, James
Baker, Charles
Bodey, Louis
Brown, Isaac J.
Bryan, David A.
Britzman, Charles
Bradley, Zachariah T.
Barr, James
Bailey, Aaron
Barker, James H.
Brittingham, Gillitt
Brown, John
Brown, William E.
Behrie, Erasmus
Coyn, Henry
Carroll, Christopher
Combs, James
Clark, David D.
Clark, John E.
Clark, William B.
Clark, William
Carey, John C. *c*
Carey, Thomas P. *a*
Curtis, John
Collins, Cyrus Q.
Carey, Robert F.
Carey, Wolsey B.
Deane, Charles H.
Duffy, Patrick
Davidson, Nathan W.
Dean, William J.
Derrickson, Charles W.
Dodd, George W.
Davidson, James D. C.
Duffy, John
Ennis, George B.
Evans, Charles
Flatwood, John J.
Fondes, Anthony
Fitzsimmons, John
Gellert, John F.
Gallagher, John
Green, George W.
Hobbs, Mathias
Hummell, Charles
Hickman Nebit
Hatch, John
Hatchat, Henry H.
Harrigan, William
Hoffecker, Benjamin
Hazel, Robert
Holloway, James W.
Howser, Charles J.
Henry, Peter
Hignutt, Nathan J. *b*

Company E, First Regiment—Continued.

Harvey, Thomas L.
Holloway, Ebe
Holloway, Ezekiel
Harrison, John
Hinson, John S.
Hignutt, Daniel R.
Johnson, John
Johnson, Jonathan c
Johnson, David M. b
Jones, Edward
Jones, Joseph
Jones, Jacob
Jones, Philip C.
James, Arcunias
Johnson, John Fred.
Jones, William
Kaiser, Louis
Kelsey, John
Kindall, John
Kersey, Louis M.
Knowles, Jacob T. P.
Kramer, Julius
Lyons, Mark
Laramore, George T.
Lee, Charles
Lynch, Elias D.
Lally, George
Larka, George
Lockward, Joseph
Lindabey, John B.
Lewis, John
Lank, Levin J.
Lawson, Henry R.
Lepole, Samuel M.
Lloyd, Thomas
Miller, Julius
Moriarty, Albert
Melver, John A.
Maginnis, Peter
May, William
Minor, Peter
Magee, Nathaniel
McNeil, James
McQueg, John
Melson, Minos J. a
McColley, Joseph P. d
Mumford, Samuel d
Marvel, David B.
Mariner, John H.
McDowell, Zachariah P.
March, Aaron W.
Neide, Joseph
Ogle, Benjamin
Oake, Lewis
Otto, Herman
Ober, Jacob P.
Pringle, John
Partington, James
Parker, William H.

Rosback, Valentine
Rosboom, John
Russell, Samuel C.
Reede, Andrew J.
Rogerson, Burnett
Sullivan, Michael O.
Serf, Philip P.
Slanter, James
Scott, John
Swede, Charles
Short, Philip H.
Smith, Henry C.
Smith, Neal
Spels, Thomas
Sweetwood, Valentine
Simmons, Samuel W.
School, John
Sparks, Joseph W.
St. Marie, Henry B.
Speirier, Frederick
Smith, John
Smith, John H. a
Scott, William
Swiggett, Ashland B.
Sweeney, George
Sands, Theodore
Taylor, John
Taylor, Joseph C.
Tindall, Joseph b
Torbert, George P. b
Taylor, James H.
Talley, Henry C.
Van Buren, John
Valdue, Earnest
Vaughan, William D. a
Vincent, Peter W.
Watson, Robert S.
Williams, Michael
Woford, William
Wild, Bernhard
Wilson, George
Whiteman, William H.
West, Jacob
West, Stokely
Wilkinson, Mathias
Wright, John R.
Wright, Charles A.
Wright, John
Watson, Nicholas R. a
Wallace, Gustave A. a
West, William
Watts, James
Walker, Stephen J.
Watson, Joshua M.
Watson, John
Watson, John T.
Wilgus, William L.
Ward, William T.

Second Lieutenants.

William H. Ferguson. b
John Hart.
William Marsh.
William Murphy.

First Sergeants.

Peter Garretson.
Edward Maull. a
James D. Simpson.

Sergeants.

William Cole.
Morris P. Eccleston.
Joseph Fitzsimmons.
James Kettlewood.
John B. Smith.
John B. Maherry.
Theodore Palmatory.

Corporals.

John W. Barney.
William E. Burke. d
William Conoway.
Joseph Craig.
William Darlington. a
William Houck.
Benjamin F. Husbands.
Samuel P. Jones.
William Jones.
James H. Lucas. a
Samuel McNutt. c
Charles Rash.
John Rhoads. a
Benjamin F. Richardson.
Henry Roberts.
Isaac Scott.
Thomas J. Wooters.

Musicians.

Charles J. Downham.
John M. Smith.
Elwood L. Wilson.

Privates.

Afleback, Edward
Allen, Richard
Allen, William
Barnett, John G.
Banwax, William d
Beall, George
Behen, Patrick
Bills, Samuel W.
Bishop, Risdon H. c
Blades, John C.
Bogues, John
Boyer, James F. d
Bradley, Garrett
Brecht, William
Briggs, William
Brown, Henry
Brown, John
Bryan, Edwin H.
Butler, Ezekiel G.
Carpenter, William E. c
Carroll, Daniel
Cahill, William
Casey, Martin
Cantwell, William C.
Chance, Thomas G.
Clifton, George
Cloud, Washington
Cohes, Jonathan L.
Cole, Patrick M.
Comegys, John T.
Copland, John J.
Coverdale, James
Cox, Aaron W.
Cox, Ediom

Cunningham, Robert d
Dalley, John
Daisey, William E.
Daniels, William W.
Darling, James W.
Delasse, Emanuel
Dickson, James P. b
Dowlin, Alfred
Dyer, Stephen
Edgill, Noah I.
Edwards, John
Egloff, John
Elwell, Charles E.
Emerson, Edward
Erbe, Gus
Fairgrave, John T.
Faller, Joseph
Foreacre, Robert
Frost, James C.
Garretson, Benjamin F. d
Geller, Baldeas
German, George
Green, William
Guesford, David b
Guesford, William
Gunner, John
Haines, William
Halters, Charles
Haines, George W.
Hammond, Edmund
Hammond, Jacob
Hammond, Samuel
Hammond, William d
Hart, Malachi d
Haven, Charles W.
Hebblethwaite, George
Henshaw, William
Hilliard, James
Hobbs, John
Hoyle, John
Jackson, Thomas
Jackson, William
Jeffries, Thomas
Johnson, John H. a
Kelley, Thomas
Kellogg, James
Kettlewood, Lawrence
Kline, John A.
Knox, James R.
Kosman, Edward
Kurtz, George
La Monte, Charles
Lane, Nathaniel L.
Lee, Frank
Lewis, Riley
Lewis, William H. b
Linch, Thomas C.
Linton, George
Lodge, James H.
Loper, George, M. D.
Lyons, Timothy
Maherry, William
McBride, Patrick
McClintock, James
McGeehan, Bernard b
McGintey, John
McGuire, Patrick
McKenzie, John B. d
McMullen, John
McNatt, Burton
Mick, James a
Miller, Charles
Minner, Thomas
Moffitt, James T.
Morris, Henry
Mullen, John
Murphy, Arthur d
Nicholson, Randolph
Pennock, Gilpin S.

Supplement.—Four captains, three first lieutenants, two second lieutenants, three first sergeants, thirteen sergeants, twenty corporals, four musicians and one hundred and seventy-seven privates, making a total of two hundred and twenty-six men, constituted this company during its term of service and its final mustering out, July 12, 1865. One commissioned officer died of wounds; five non-commissioned officers also died of wounds, while three died of disease, and one was killed in action; seven privates were killed in action, four died of wounds, two died of disease and one was wounded.

*Company F.**Captains.*

William C. Inhoff.
Mathew W. Macklem.
William Y. Swiggett.
Daniel Woodall.

First Lieutenants.

Benjamin P. Adams. d
John W. Eckles.
Samuel A. Macallister.
John W. Williams.

Company F, First Regiment—Continued.

Pierth, Valentine
Porter, David
Potter, John A.
- Price, John
Ragen, James
Rash, Thomas A.
Reading, Starr
Richard, Caspar
Righter, Jacob B.
Robert, Henry
Ross, James T.
Rumer, John
Saring, George
- Sanders, Ransom H.
Science, William
Scott, Eben a
Seymore, Daniel
Short, Robert
Simpson, Richard L.
Simpson, James a
Simpson, Thomas A. b
Smith, Philip
Smith, William H.
Spence, Andrew J.
Stevens, John T. c
Stevenson, Erasmus E.
Still, George d
Stoll, William F.

Suthel, Samuel
Sylvester, Levi
Taylor, George P.
Thomas, Albert
Truax, Charles W.
Truitt, Joseph
Tucker, William T.
Twiford, William T. d
Understine, Henry
Vasey, Albert
Vincent, Lewis
Wagner, Frederick
Walters, James H.
Welsh, John C.
White, Josephus
Williams, Morgan F. c
Williams, Thomas
Williamson, Chandler
Wilson, Charles H.
Wilson James
Wilson, James F.
Wilson, John
Woodley, Charles F.
Wooters, Elijah
Wooters, William R. c
Wright, Perry
Wright, Thomas
Wright, William M.

Supplement.—Four captains, four first lieutenants, four second lieutenants, three first sergeants, seven sergeants, seventeen corporals, three musicians and one hundred and sixty-nine privates, making a total of two hundred and eleven men, constituted this company during its term of service and its final mustering out, July 12, 1865. Two commissioned officers died of disease and one died of wounds; four non-commissioned officers were killed in action, one died of disease and one was wounded; ten of the privates died of disease, five died of wounds, three were killed in action and five were wounded.

Company G.

Captains.
James M. Bryan.
John T. Dent.
Allen Shortledge.

First Lieutenants.
Henry H. Burton.
Charles W. Davis.
Alfred Gawthrop.
John L. Sparks.

Second Lieutenant.
William W. Meacham.

First Sergeants.
James Covendale.
Edward F. Richards. a

Sergeants.
Daniel Coulby. c
James H. Davis.
Henry H. Higgins. b
Wellington G. Lloyd. b
John M. Meacham. b
Frederick Meyers.
Charles Moss.
Pierce Neals.
- George T. Price.
Philip R. Spicer. b
Thomas J. Thompson.
Joseph A. Warren.
George Wilson.

Corporals.
- Thomas Brown.
- William Brown.
William Deville.
James Dutton.
William H. Hudson. c
John Langhan.
John Martin. d
James McIntyre. b

George W. Jones. c
Noel Joseph
Charles Palmatory. d
- George W. Reice. a
William C. Scott.
Thomas Shields.
William B. Simmons.
William R. Smith.
Thomas K. Stidham.
Edward Stubbs.
Samuel T. Thomas. c
William E. Wilson.

Musicians.
Henry Canning.
George H. King.
Patrick McNamara.
William Tindall.

Privates.
Adkins, John d
Anderson, Charles
Anderson, Daniel
Anderson, Thomas
Aner, Mathias c
Argo, Joseph
Armon, Frederick b
Armstrong, William
Banks, Joshua
Barchenel, Eugene c
Bartley, James
Benson, John
Bickering, Henry
Billings, Thomas
Blackston, James W.
Blank, Nicholas
Bonner, Michael
Bracelen, John
Bradford, James S.
Bradford, Samuel J.

Brith, James
- Brown, William (No. 1.)
- Brown, William (No. 2.)
Burkel, George
Chaffant, Halliday M.
Clark, Benjamin F.
Clark, John
Cline, John a
Cluskey, John
Cole, John B.
Colescott, John W.
Conoway, Andrew
Cook, James
Crummer, James L.
Dackter, Adam
David, Patrick
Dennis, George
Denning, Henry C.
Dill, Alexander S.
Donathan, Lemuel
Donivan, Daniel
Durand, Augustus
Elder, Walter
Ennals, Edward
Evans, Benjamin
Evans, Israel
Fagan, Charles
Faries, Samuel F.
Farwood, James S.
Fessel, Frederick
Finnegan, William
- Fisher, Richard W. a
Flaco, George
Freeman, Westley
Gertenaburg, Boethasar
Gorman, James
Gosh, Christian c
Grey, Caleb B.
Hancock, Lewis
Hart, William
Harvey, Gabriel
Helms, Murice
Hitchens, Henry
Holbs, Sylvester H.
Horman, Ferdinand
Horman, William
Hopkins, Thomas
Hughes, Joseph
Irvin, John
James, William H.
Jause, Jacob
Jause, Philip
Jester, Aaron c
- Johnston, John Q.
- Johnston, John U.
Jordon, Emiel
Kane, John
Kelly, John P.
Kelly, Michael
Kelly, Richard
Kerns, John d
Kitta, Henry
Littleton, James C.
Littleton, John S.
Loden, Peter
Lofland, Cuiaten
Lofland, James
Long, David
Long, John
Lyonsen, William J.
Mannering, John
May, William
McDonald, Augustia
McDonald, George
McFadden, Charles
McGuigan, John

McMillar, John
McPike, John
Merring, Christian
Miller, Antonio
Miller, Frederick
Miller, Levin
Mielick, William
Mitchell, David
Murphy, Edward
Murphy, John
Murray, Daniel
Osbum, Joseph T.
Osgood, George W. d
Oswald, Alexander
Palmer, John S.
Parson, John
Paterson, William T.
Pepper, Thomas B.
Peterman, Edward
Peters, Charles
Piper, Benjamin
Prall, Thomas
Prierman, Robert
Ray, John
Regan, William
Reiley, James
Rephus, John c
Repp, William
Rhine, Joseph c
Robelen, Charles H. b
Savage, Henry J.
Secue, Caleb
Senn, Thomas c
Seville, William b
Shaw, Mark M.
Shay, James
Shearer, Charles
Short, William H.
Sheppard, Thomas
Shrieder, William
Simmons, Charles W.
Simmons, Edward T.
Simmons, George
Solomon, John
Smith, Charles
Smith, George
Spence, John
Spencer, Hugh S.
Steel, Jacob
Stimmel, Thomas W.
Stock, Frederick U.
Strimple, David
Sweeney, Thomas M. b
Taylor, George B. d
Taylor, Morris
Taylor, Robert d
Tevan, Frederick
Theurer, Henry b
Tilghman, George W.
Tomlin, Owen
Truitt, George
Turner, George
Vonschultz, Drioberk
Wallace, Charles H.
Wall, John H.
Ward, William A.
Warner, John
Weigle, Jacob
Weigle, William b
Weston, John G.
Whal, William F.
Wilson, Andrew
Wingate, Heseekiah
Wolfe, Charles
Wolfe, Philip

Supplement.—Three captains, four first lieutenants, one second lieutenant, two first sergeants, thirteen sergeants, twenty corporals, four musicians and one hundred and sixty-four privates

Company G, First Regiment—Continued.

making a total of two hundred and eleven men, constituted this company during its term of service and its final mustering out, July 12, 1865. Two non-commissioned officers were killed in action; five died of wounds, two died of disease and four were wounded; three privates were killed in action, six were wounded, five died of disease and six died of wounds.

*Company H.**Captains.*

James Kettlewood.
John B. Tanner. *a*

First Lieutenants.
William Caywood.
Benjamin Y. Draper.
James Richard.
John R. Vanloan.

Second Lieutenants.
Ezekiel C. Alexander.
Michael Dooley.
Joseph Nichols.
Thomas Russell.

First Sergeant.
Isaac S. Hart.

Sergeants.

— Joseph E. Booth.
James W. Bryan.
Lewis Correll. *b*
Jacob L. Davis.
William W. Davis.
John W. Draper.
Evan P. Grubb.
William W. Hickman. *c*

Sergeants.

James Hudson.
George M. Justison.
John Lawson.
William Miller.
Robert L. Moody.
George C. Sempie. *a*
Charles B. Tanner.
James C. Yearsley. *c*

Corporals.

John H. Collier.
David A. Daisey.
William Foote.
Francis Harris.
Philip Kain.
William K. McClurg.
John Mitchell.
Thomas O'Daniel.
George Phillips.
Clement Rush.
— Sydney Fisher.
John Stein. *a*
Martin Whibley.

Musicians.

James F. Engle.
John Gallagher.
Robert Long. *a*
Thomas F. Maloney.

Privates.

Adams, John
Adkins, James H.
Ammonds, Thomas
Annis, Gustavis
Aurich, Emile
Baohmiller, Jacob
Baker, Elijah
Bakley, John
Banning, James L.
Bardale, James
Baxter, Alexander *a*

Bayne, James
Biles, Jacob K.
— Brown, Joseph
Burrows, Severn H.
Cabill, Richard T.
Campbell, Eli *d*
Carter, Henry
Corigan, John
Corigan, Patrick *c*
— Chandler, William
Cherer, Anthony *d*
Clark, William
Cole, James D.
Collins, William T.
Connelly, Michael
Conner, George
Conway, John
Conway, Patrick
Curry, John *c*
Day, William P.
Dickerson, Vincent
Dickey, Thomas B.
Dill, William W. *c*
Dockendorf, Frank
Dodd, James
Donnelly, John
Downey, Samuel
Dougherty, Dennis
Dougherty, John *a*
Draper, William H.
Drummond, William T. *d*
— Fisher, Emile
Flood, Peter
Foley, Daniel
Fonkler, Joseph
Ford, Joshua *d*
Forrest, James
Foxcroft, Francis
Friel, John T.
Furbash, Annanias
Galloway, Isaac
Gary, Joseph
Gatchel, John S.
Gilpin, Nathaniel *c*
Glatty, Lawrence
Godkins, John
Golden, Nicholas
Graham, Thomas
Green, Samuel
Gregory, Philip *b*
Guiseppi, Tasetti
Hague, James A.
Hamilton, Joseph
Harrington, John D.
Hasting, Thomas
Hesslyer, Martin
Hickman, James
Hoffman Francis
Holmes, Thomas
Holstein, James H.
Hopton, Joseph H.
Huber, John
Hurde, Charles
Jackson, Henry C.
Jamison, David
— Johnson, William
Justison, Martin
Kennedy, John
Kessel, Philip

Kessenger, Reuben *d*
Kimmey, James M.
King, Michael
King, Robert
Kinsey, Thomas
Lauder, Jacob
Lawson, William
Layton, Richard
Lemonds, Robert
Lewis, John D.
Leveless, Eli W.
Margenthal, Bernhart
Martin, Henry
Matthew, John F.
McCarty, John
McCulloh, George
Malbough, Edward
McFadden, Patrick
McNulty, Michael
Meally, Wilson
Miller, Frederick
Miller, John
Miller, Russell
Mirach, Christian
Monks, John C.
Monteto, Geniva
Mumford, John
Murphy, John
Myer, Emile
Myers, William
Nesby, John H.
Nichols, John T. *d*
Nugent, Barney
Omera, Archibald
Outten, James H. *c*
Parthman, Edward
Popper, Josiah
Penn, Walter L.
Perkins, Samuel
Phillips, George W.
Pickering, Hiram *c*
Porter, John *b*
Porter, William *c*

Powell, John
Powers, Thomas
Ramey, Moses
Reed, Daniel
Rice, Watson, T. *d*
Robinson, Henry
Ruffin, James
Salmonds, David
Saville, John H.
Sheridan, John
Shipley William *c*
Sippler, Christian
Smith, Henry
Smith, John *d*
Smith, Philip
Snow, John
Spelap, Leopold
Stewart, David
Sullivan, John (No. 1.)
Sullivan, John (No. 2.)
Talbot, William H.
Toner, James
Toomey, Thomas
Vose, William H.
Waldner, Antonia
Walker, John J. *a*
Walls, Gainsbury
Walle, Henry R.
Ward, Francis
Wardle, Alexander
Warren, Joseph
Watson, Marshall
Wells, William P.
Welsh, Thomas *c*
West, James
Wheeler, Isaac S. *d*
White, Douglass *b*
Wilson, Cyrus
Wilson, Frank S.
Wilson, Thomas J.
Winner, Samuel
Wirty, Richard
Wright, John H.

Supplement.—Two captains, four first lieutenants, four second lieutenants, one first sergeant, sixteen sergeants, thirteen corporals, four musicians and one hundred and sixty-six privates, making a total of two hundred and ten men, constituted this company during its term of service and its final mustering out, July 12, 1865. One commissioned officer was killed in action; two non-commissioned officers were also killed in action, two were wounded and one died of wounds. One musician was also killed in action. Five of the privates were killed in action, eight were wounded, three died of wounds and nine died of disease.

*Company I.**Captains.*

Harry G. Cavanaugh.
Aquila M. Hizer.
Thomas B. Hizer.
Charles Lespes.

First Lieutenants.

James H. Barber.
William Caywood.
John W. Eckles.
Albert S. Phillips. *b*

Second Lieutenants.

Charles S. Schaeffer.
Isaac Van Trump.
William H. Vinnig.

First Sergeants.

John E. Barney.
William D. Birch.
David Challenger.

Sergeants.

Samuel H. Benson.
David W. Gemmill.
David D. King.

Robert S. Martin.
Joseph N. Patterson.
J. L. M. Pennington.

Corporals.

Adolphus Adams.
John B. Harper.
John M. Mason.
Thomas A. Staats.
John D. Thompson.
Jacob S. Thomson.
Henry S. Truitt.
Andrew Wilkerson.

Musicians.

Jesse Ervin.
John Rosk.
Joshua Simpers. *d*

Privates.

Alexander, Samuel *b*
Appleton, John S.
Ashton, Charles
Augoe, Charles
Back, Balthacer

Company I, First Regiment—Continued.

Backer, David
 Bowman, Robert B.
 Benwagner, John b
 Biddle, Enoch
 Biddle, Jeremiah
 Bond, George W.
 Bonrout, Peter
 Bradford, Richard H. d
 Burk, William
 Butler, Thomas B.
 Butler, William
 Byard, Backer
 Byard, John T.
 Calep, Gideon W.
 Campbell, William
 Carlin, Edward
 Carr, Hudson a
 Carry, John
 Cotton, George W.
 Cortwell, Amos b
 Clark, James
 Cole, Henry
 Collins, Joshua
 Collins, Patrick
 Cook, Henry
 Connelly, Patrick
 Conton, William
 Crampfield, William
 Danby, George
 Dawson, E. B. T.
 Derity, Benjamin
 Devine, Patrick
 Dickerson, William
 Ennis, Richard N.
 Esley, William
 Faine, John
 Foss, Charles
 Ferguson, James
 Fine, Frederick
 Finnegan, Timothy
 ✓ Fisher, Mathias
 Foxgawett, V. d
 Garland, Thomas
 Geiger, Jacob
 Graham, John
 Grimes, Isaiah
 Grove, John T. a
 Guthrie, William a
 Hadock, Thomas
 Hamilton, Henry
 Hamilton, Jones
 Hancock, John
 Handy, John
 Harris, Benjamin
 Harris, George
 Haughton, William
 Higginston, Michael
 Hobbs, George W.
 Holton, William
 Hudson, Elisha
 Hudson, Noah
 Hughes, John
 Irvin, John W.
 Jarrald, Alexander
 ✓ Johnson, William
 Jones, Daniel
 Jones, Edby
 Jones, Oliver C.
 Kemp, Charles
 Kemp, Edward
 Kemp, Luther
 Kennedy, Jones
 Kilpatrick, John
 Kramer, J. A.
 Krotzer, William
 Lair, Paul
 LeCatee, Alexander
 Logan, J. T.
 Manning, John
 Martin, James
 Martin, John
 Martin, Joseph
 Martine, John
 McAndrew, John
 McCaughey Mathew
 McCarter, John
 McCauley, John
 McCool, John
 McDonnell, James
 McGintey, John
 Miller, Frederick
 Miller, Thomas B. d
 Money John P. a
 Mood, Daniel
 Moore, Lorenzo
 Morris, Daniel
 Myers, Charles
 Neally, Francis
 Newsome, Henry
 Nickerson, Andrew
 O'Connel, James
 Odd, William
 O'Donnell, John
 Outten, William T.
 Penderoille, James
 Peterson, John
 Pink, William
 Quinn, Patrick
 Raymond, Lewis
 Riddle, William B.
 Riggs, Ezekiel
 Roberts, Henry
 Rogerson, Edward a
 Ross, James
 Ruth, Amos
 Salmonda, David B.
 Sands, Gardner
 Seadertash, Henderson
 Sharp, Patrick
 Shearer, Charles
 Sheridan, John
 Sheridan, Phillip
 Short, James
 Shrout, Peter a
 Shute, William
 Simpson, George d
 Simpson, James
 Smith, Abene
 Smith, James
 Snider, George a
 Steam, James
 Steid, Henry
 Steinburger, Christopher
 Stephenson, Daniel
 Sweatman, James
 Taylor, William W.
 Temple, John B.
 Thompson, Andrew J.
 Thoop, Jacob
 Thoraton, Thomas a
 Upton, William J.
 Uzelmirer, John
 Weir, John
 Welsh, James
 Welsh, John
 Welsh, William
 Wilkinson, Nathaniel
 Williams, William
 Willis, Garret
 Willis, John
 Wilson, George
 Wolfgang, Hammill
 Wright, Robert W.

Lieutenants, three first sergeants, six sergeants, eight corporals, three musicians and one hundred and fifty-eight privates, making a total of one hundred and eighty-nine men, constituted this company during its term of service and its final mustering out, July 12, 1865. One commissioned officer died of wounds; one musician died of disease; eight privates were killed in action, four died of disease and three died of wounds.

Company K.

Captains.
 Thomas Crossley.
 John L. Sparks c
First Lieutenants.
 Evan P. Grubb.
 Aquilla M. Hizar.
 William C. Inhoff.
 William N. Meacham. c
 Charles Schaeffer.
Second Lieutenants.
 Henry H. Burton.
 Dooley Michael.
 Thomas Russell.
First Sergeants.
 Amos T. Bradley. c
 James Crossley. a
 Henry H. Darlington. a
Sergeants.
 James H. Barber.
 Jonathan S. Biddle. c
 Thomas Boulden. c
 Powell Boyd.
 Charles Campbell.
 John M. Dunn. c
 William H. Ferguson.
 Matthew W. Maelum.
 Thomas Maloney. c
 Isaac P. Nickson.
 Samuel Sheppard.
 Washington F. Williamson.
Corporals.
 Jeremiah Ayra.
 Elias Black.
 Washington Butler.
 Samuel L. McElwee. a
 Charles B. Parry.
 Isaac Quellen. c
 Israel Renner.
 John H. Schaeffer. c
 Bayard Turner. c
 William H. Ward. c
Musicians.
 Charles Bullen.
 Samuel Logates.
Privates.
 Abbott, James D.
 Abbott, Samuel
 Ashbee, John
 Barken, John L.
 Beard, William
 Bearmont, Samuel
 Biddle, Thomas c
 Black, John S. a
 Blake, Edwin
 Blissard, David
 Brown, Henry
 Brown, Edwin
 Bullen John H. c
 Burchus, John H.
 Bushard, Jacob
 Campbell, John W.
 Carickson, Albert
 Carter, John
 Clark, James E. c
 Clayton, John B.
 Clow, George
 Clowet, Clarkson c
 Conway, Fergus d
 Conway, Gilley
 Cosdon, John
 Crabb, Albert
 Cramfield, Burton
 Deggen, John
 Dill, Alfred W.
 Downham, William H.
 Downing, James
 Duffield, Samuel c
 Dutton, George
 Elliott, George
 Elliott, Reuben
 Englehand, Oswald
 Ennis, Frederick B. a
 Ennis, Joshua
 Fleetwood, Curtis
 Fleetwood, James H.
 Foreacre, William H. a
 Foreacre, John W. c
 Foreacre, William B. c
 Gantt, George
 Graham, Levin
 Green, Henry
 Hagerman, John W.
 Haggerty, Michael
 Hall, John c
 Hamilton, Edward
 Hamond, Isaac H.
 Hanly, Thomas
 Hanson, William
 Harlow, John d
 Harrington, Thomas
 Harrison, John H.
 Hawn, Edward F. d
 Hawn, Isaac M. c
 Healy John
 Heard, Jesse
 Hearn, William J.
 Hill, Joseph
 Hoff, Charles
 Holland John c
 Hallihan, Thomas
 Hollowell, Thomas E. c
 Holmes, Thomas a
 Hudson, William
 Jeandell, John
 Jerrell, George a
 ✓ Johnson, John
 Jones, George
 Kelley, James
 Kelley, John
 Knipper, Charles
 Lane, William M. c
 Le Brun, Augustus
 Lee, Charles
 Leiphard, Charles
 Levin, James
 Lewis, Peter
 ✓ Likens, Thomas a
 Lindell, Joshua
 Lofand, Joshua
 Longneaker, Adam
 Mack, Alexander
 Malcolm, Alexander c
 Maloney, John
 Mathews, Charles

Supplement.—Four captains, four first lieutenants, three second

Company K, First Regiment—Continued.

| | |
|-------------------------|----------------------|
| Mathews, John | Schmitt, Henry |
| McBrittle, Charles B. c | Scott, Abraham c |
| McClone, George | Small, John |
| McColen, George a | Smith, George |
| McCracken, George | Smith, John |
| McDoner, Edward | Smith, John B. |
| McGee, Edward | Spayth, Washington c |
| McKeever, Daniel | Starr, Jacob |
| McLane, Allen c | Strode, David H. |
| Menderlee, Antonia | Stropp, Lewis |
| Miller, John W. | Sullivan, Denny |
| Mills, Samuel c | Sullivan, Timothy |
| Mooney, Hugh | Thayer, Charles F. d |
| Morris, James c | Thompson, Lawrence |
| Morrissey, Patrick | Turner, George |
| Mott, Joseph D. c | Vincent, William |
| Mullman, Emuel | Warburton, Henry |
| Myers, Charles | Ward, William T. c |
| Peary, William a | Wardell, Alexander |
| Peterson, Daniel W | Watson, Edward S |
| Penry, William | Weidman, Jacob |
| Phelps, Foster | Weller, George |
| Quinn, John | West, Eli |
| Rafferty, James | Wiers, Jacob |
| Rash, Nathan a | Williams, Charles |
| Regan, James | Withers, Thomas |
| Richardson, George | Wolten, Edward |
| Rodgers, Edward | Wood, George F. c |
| Rosenburg, James | Wright, Joseph c |
| Rudicill, George | Yarnell, Isaac |
| Roster, John | |

Supplement.—Two captains, five first lieutenants, three second lieutenants, three first sergeants, twelve sergeants, ten corporals, two musicians and two hundred and eighty-one privates, making a total of three hundred and eighteen men, constituted this company during its term of service and its final mustering out, July 12, 1865. Two of the commissioned officers were wounded; three non-commissioned officers were killed in action and nine were wounded; nine privates were killed in action, twenty-three were wounded and four died of disease.

SECOND DELAWARE VOLUNTEER INFANTRY REGIMENT.

Field and Staff Officers.

| | |
|----------------------------|----------------------------|
| <i>Colonel.</i> | <i>Quartermaster.</i> |
| H. W. Wharton. | George Plunkett. |
| <i>Lieutenant-Colonel.</i> | <i>Surgeon.</i> |
| W. P. Bailey. a | David W. Huesten. |
| <i>Major.</i> | <i>Assistant Surgeons.</i> |
| Robert Andrews. c | Philip M. Plunkett. |
| <i>Adjutant.</i> | William H. Babb. |
| Samuel Canby. | |

Non-Commissioned Staff Officers.

| | |
|--------------------------------|-----------------------------|
| <i>Sergeant-Major.</i> | <i>Commissary Sergeant.</i> |
| William H. Brady. c | Henry C. Nelson. |
| <i>Quartermaster-Sergeant.</i> | <i>Hospital Steward.</i> |
| Benjamin F. Hedges. | John C. Claypoole. |

Company A.

| | |
|---------------------------|----------------------|
| <i>Captains.</i> | <i>Sergeants.</i> |
| John Evans. a | Alexander Zebley. b |
| David L. Strickler. | Joseph Feamy. |
| <i>First Lieutenants.</i> | <i>Corporals.</i> |
| Thomas M. Wenie. | John W. Brown. |
| James W. Letherburg. | James H. C. Carter. |
| <i>Second Lieutenant.</i> | George P. Coleman. d |
| Robert G. Smith. | Peter Dulton. |
| <i>First Sergeants.</i> | Oliver B. Lefferty. |
| Robert B. Blake. | Jacob Steitz. b |
| Edgar Danach. | <i>Drummer.</i> |
| Cyrus H. Forward. b | George McCracken |

Fifer.

Henry Kappes.

Wagoner.

James L. Redmond.

Privates.

Ackerly, Joseph.
 Bannan, John
 Bannar, Charles
 Boney, William.
 Bosler, Peter a
 Brooks, Daniel H.
 Burns, John
 Carey, Stephen a
 Christie, William
 Cochran, Samuel
 Colton, Charles P.
 Colts, James W.
 Cook, James
 Cox, William
 Crozier, John
 Cunningham, Thomas
 Dalley, John
 De Berger, Adolph
 Delarue, Antoine b
 Dolan, Robert
 Doyle, Peter
 Fallan, Michael
 Farnan, John
 Franks, John
 Francis, Charles a
 Fryer, Joseph P.
 Gregg, Abraham
 Hardin Henry
 Hargraver, Caleb
 Harrison, John
 Hanscom, Howard

Hartland, Henry
 Higginbottom, John
 Heidman, Leonard
 Keever, William
 Lodge, Samuel
 Lynch, William
 McAllister, James b
 McCabe, James c
 McCallan, John a
 McDona'd, James
 McKnight, John G.
 McKone, Martin
 Mills, Isaac
 Mohan, William
 Morgan, James
 Morris, Albert T. c
 Naylor, Edward
 Nealis, Samuel E.
 Newman, Henry
 O'Donnell, Thomas
 Quigley, Edward a
 Register, William H.
 Richter, Benjamin S.
 Rowe, John
 Ruth, James W.
 Ryan, Edward a
 Seward, James
 Stack, George
 Sweeney, Charles
 Taylor, Thomas H.
 Tompkins, Howard
 Vallent, Benjamin
 Warner, Thomas
 Warren, George
 Wilson, John a
 Wolf, Henry
 Young, David

Supplement.—Mustered out at Wilmington, Delaware, July 1, 1864. One captain killed, seven privates killed, three non-commissioned officers died of wounds, one non-commissioned officer died of disease, four privates wounded, two of whom died from their injuries.

*Company B.**Captain.*

Charles H. Christman.

First Lieutenants.

Theodore Geyer.
 Benjamin F. Nolen.

Second Lieutenants.

William Fennimore.
 Hamill W. O'Leary. a

First Sergeant.

James Brown.

Sergeants.

Ferdinand Davis.
 John Deving.
 Josiah Lake. c
 James E. Simpson. d
 James Waters.

Corporals.

Benjamin Crooka.
 Andrew Green.
 Stephen Hannum. c
 John King.
 Thomas Semple.
 Joseph Smith.

Fifer.

John Selsor.

Wagoner.

Samuel Miller

Drummer.

Robert Russell.

Privates.

Ambeore, David
 Armstrong, Roland J.
 Anderson, William W.
 Bechtel, Jacob
 Bowers, Samuel a
 Bushby, Charles
 Carr, William
 Cheeseman, Nathan
 Conley, Stephen a
 Cooper, Thomas
 Crookshanks, William d
 Cunnard, Lewis
 Deloy, John H.
 Dickenson, Solomon a
 Dickerson, Charles b
 Dougherty, Thomas
 Elkin, William
 Ferguson, Thomas
 Finley, John
 George, William H.
 Godfrey, Thomas
 Graham, Samuel
 Gunning, John
 Hamilton, George B. F. b
 Helmsworth, Thomas C. d
 Helene, John C.
 Hinsworth, Henry
 Kelly, John
 Kuipke, Charles
 Lallaement, William
 Laros, Thomas
 Lawson, Hiram
 Lawson, William H. H.

Company B, Second Regiment—Continued.

| | |
|----------------------|-----------------------|
| Lukens, Isaac G. | Renshaw, Francis |
| Marlin, James L. | Rodgers, William a |
| Marlin, William | Rosenberg, Henry |
| Marshbank, Alexander | Savoy, William P. a |
| McCoy, James | Sheonk, Joseph a |
| McCoy, John | Sill, James |
| McKensey, John | Simons, Charles |
| McKnight, John c | Sloan, Robert c |
| McMullin, William H. | Snyder, Franklin N. d |
| Merritt, John | Stansfield, William b |
| Miller, Charles | Steelman, James |
| Millman, John | Sutton, John |
| Moyer, Charles | Sylvester, George c |
| Murray, Philip a | Taylor, Abraham b |
| Noble, James | Thawley, Thomas |
| Orell, John | Thompson, John L. |
| Otley, Benjamin F. | Timpson, George |
| Ottinger, Joseph | Welsh, Edward c |
| Patterson, William | Welsh, Joseph |
| Payton, Joseph | Woodbury, William |
| Price, Richard. | |

Supplement.—Mustered out of service at Wilmington, Delaware, July 1, 1864, by D. G. Swain, captain and A. A. G. One second lieutenant killed, seven privates killed, one non-commissioned officer died of disease, three privates died of disease, one non-commissioned officer wounded, nine privates wounded, four of whom died of wounds.

Company C.

| | |
|----------------------------|-----------------------|
| <i>Captains.</i> | Campbell, William |
| John G. Simpers. | Clark, William T. |
| Benjamin Ricketta. | Davis, George W. |
| <i>First Lieutenants.</i> | Drummond, Jackson |
| George H. Hardy. | Feraan, Benjamin. |
| W. F. H. Forbert. | Ferguson, Albert H. |
| <i>Second Lieutenants.</i> | Foreacre, Isaac b |
| Harrison, Bennett. | Fonds, William |
| Ephraim Jordan. a | Gibbs, James L. |
| <i>Sergeants.</i> | Giles, Philip A. |
| Ebenezer Alexander. | Grant, Jacob |
| James McCullen. | Harry, William S. |
| James T. Helley. | Hays, Charles E. |
| Robert McCullen. | Heath, Washington |
| William I. Davidson. a | Hedges, Benjamin F. |
| William Drew. | Honey, Nicholas T. |
| Ephraim Jordan. a | Housekeeper, Thomas |
| Philip Johnston. | Johnston, Philip A. a |
| William Sands. | Jones, Hugh C. a |
| Charles J. Smyth. | Lacy, Joel c |
| <i>Corporals.</i> | Lands, Benjamin S. |
| Rennard Allison | Lenard, James |
| Samuel Boyer. | Lilley, Davis N. |
| Granville Bennett | Lockard, Matthew |
| Samuel Biddle. a | Lockard, William T. |
| Henry M. Bennett. a | Mehan, Aquilla |
| Robert Davidson. | Mehan, James H. |
| Asbury McDonald. | Mehan, James T. |
| Thomas Jeffries. d | Maffitt, George R. |
| William H. Kingston. a | Marcus, Whitecraft. |
| Thomas Miller. c | McCarthy, Charles |
| William Sowers. a | McClure, Robert |
| <i>Drummer.</i> | McCullough, Jethro T. |
| George W. Lutte. | McDonald, James |
| <i>Piper.</i> | McGowen, Robert d |
| Richard A. Carr. | McNeal, Amos E. c |
| <i>Teamster.</i> | McNeal, George |
| George Turner. | Murray, James W. |
| <i>Privates.</i> | Murray, John W. |
| Anderson, Martin V. B. | Nelson, Henry C. |
| Barber, Lewis | Ott, William |
| Basketter, Charles c | Pidgeon, John |
| | Pierson, George W. c |
| | Pierson, Jesse H. |
| | Plummer, Nicholas |
| | Poulson, William C. |
| | Reardon, Thomas D. |
| | Reed, Charles |

Rementer, William
Rok, John B.
Rosburg, Jeremiah.
Scarborough, Elisha W.
Scott, Henderson c
Sewell, William
Stearmon, Peter
Simpers, Henry T.
Smith, Heister c
Smith, John
Smith, Norris

Smith, William B.
Snyder, Azariah
Sowers, John W. d
Steele, John A.
Stretch, Samuel C.
Thomas, Richard
Thompson, William
Tice, William
Whitlock, Myers
Wilson, Nicholas
Wright, George W.

Supplement.—Mustered out of service at camp at City Point, Va., June 23, 1864, by Thomas B. Hizar, captain and A. C. M. One second lieutenant killed, six non-commissioned officers killed, one non-commissioned officer died of disease, one non-commissioned officer wounded, two privates killed, seven privates wounded, one of whom died of his wounds, two privates died of disease.

Company D.

| | |
|----------------------------|-----------------------------|
| <i>Captains.</i> | Evans, John |
| William H. Helmbold | Ferrell, William |
| John M. Perry. | Fields, Samuel d |
| <i>First Lieutenant.</i> | Fletcher, James |
| Jacob P. Pierce. c | Gessler, Edward M. |
| <i>Second Lieutenants.</i> | Gessler, William b |
| James Wier. c | Gillespie, James. |
| Andrew J. Krause. | Gump, Henry |
| <i>First Sergeant.</i> | Harper, John W. |
| John H. Davis. | Hickley, Henry d |
| John C. Rotzell. | Hilt, George L. |
| <i>Sergeants.</i> | Jones, Lewis |
| Thomas Ash. | Kane, Daniel |
| Joseph D. Boyd. | Kelley, James C. |
| Frederick Farrell. | Kenmar, William |
| Robert Hanna. | Kerker, Frederick |
| Jacob Helmpheville. | Mallett, Gilbert |
| George Hodgeon. | Mason, James |
| John McIntyre. a | Maxworthy, George W. d |
| John L. Ogden. a | Mayhew, William |
| William Turner. | McConnochil Peter |
| <i>Corporals.</i> | McFarland, John |
| John P. Gillingham. a | McGrath, Job |
| William Hall. | McLain, Alexander |
| Francis Hennepers. c | McNichol, Andrew |
| Joseph Pesch. | McPeak, William |
| William Stopey. a | Meyers, George |
| James Young. | Miller, Evans G. |
| <i>Musicians.</i> | Monahan, John |
| William McKeinmon. | Moreland, George |
| <i>Privates.</i> | Nasbit, John |
| Banner, Charles c | Palmatory, Robert |
| Barry, John C. | Powers, James a |
| Beckley, William | Quillum, William |
| Bessler, Francis C. | Quirkall, Jacob c |
| Bonner, William a | Read, John |
| Brown, John H. | Recoe, Isaac M. |
| Brown, William | Roney, George |
| Callen, William d | Rudolph, Andrew d |
| Clark, Thomas b | Ryan, John G. |
| Coleman, Henry D. b | Sayers, Livingston b |
| Coombs, William | Serrell, Benjamin |
| Cox, Joseph | Sheridan, George H. c |
| Daley, Michael | Stewart, Robert |
| Devlin, John | Thorn, Henry T. d |
| Donnohue, Thomas | Tracy, Joseph |
| Donnohue, Hugh d | Tranilla, Isaac |
| Dunn, William | Tuff, Hugh |
| Elliott, Spencer | Ward, James |
| | Weaver, Lewis |
| | Wedgemyer, Christian |
| | William Dashford (musician) |
| | Zang, Melcher |

Supplement.—Mustered out of service at camp near City Point, Va., July 1, 1864, by Thomas B. Hizar, captain First Delaware Volunteers and A. C. M. Two non-commissioned officers wounded, four non-commissioned officers killed, one non-com-

Company D, Second Regiment—Continued.

missioned officer wounded, two privates killed, seven privates died of disease, seven privates wounded and four of them died of their wounds.

*Company E.**Captains.*

Charles Bird *c*.
Robert Morehouse *c*.

First Lieutenants.

William Bowen.
George Helmbold.

Second Lieutenant.

John A. Boria.

Sergeants.

James Crap.
John Larkins.
William Lohr *b*.
Michael Meenan. *c*.
David B. Norman.
Charles F. Nostrand.

Corporals.

Benjamin Adams.
Peter Byrns.
James Bugakos.
Edward Hoffman. *c*.
Frederick M. Laboy.
Joseph Ogle.
Frederick Rich. *c*.
William Smith.

Musicians.

Joseph Perkins.

Wagoner.

Charles Ellis.

Privates.

Bishop, Joseph
Blair, Charles
Brinkman, Adolph *a*.
Bruens, William
Buff, John
Bushby, Charles
Cotton, Michael *c*.
Craes, Jonathan
Cummins, William *a*.
Curran, Hugh
Deity, Bernhard *c*.
Deity, George F.

Doran, Thomas
Dreer, Charles
Fallor, Gottlieb
Faulkner, William
Fitzpatrick, John
Flood, Thomas *a*.
Foreman, William
Freelying, Andrew
Geary, Joseph
Gibbons, Joseph
Gilbreth, Hugh *d*.
Glass, Frank
Gual, George J.
Gullford, William *a*.
Hammond, Benjamin
Heidle, Antoine
Hill, Frederick W.
Howard, Francis
Howell, William
Keefer, William
Louster, Jacob *d*.
Marval, James *c*.
Mays, Samuel *c*.
McCluskey, James
Meyers, Herman
Monaghan, James *d*.
Nichols, John
O'Neal, Charles *c*.
Ost, John *b*.
Paxon, Charles
Pembers, Charles *a*.
Plank, George G. *a*.
Preyes, Conrad
Saring, George
Shinn, Franklin
Shultz, George
Simper, William
Stamler, John L.
Stewart, Herman
Taggart, Joel H. *a*.
Tapper, George *a*.
Thornton, James
Walters, Hanson N. *d*.
Wein, Jacob *c*.
Wohlsiedge, Michael
Zeibold, Charles

Supplement.—Mustered out of service July 1, 1864. One commissioned officer wounded, four non-commissioned officers, one of whom died of his wounds, eight privates killed, six privates wounded, one of whom died of his wounds, four privates died of disease.

*Company F.**Captain.*

Peter McCullough.

First Lieutenants.

William B. Smith. *c*.
Charles Reynolds.

Second Lieutenant.

Francis K. Duke.

First Sergeants.

Charles Miller.
Leo Umnepig. *a*.
Frederick Frank.
James Holton.

Sergeants.

Michael Curley. *c*.
John Kelley.
John McCray.
Charles Nathan.

Corporals.

Patrick Campbell.
Dennis Cumber.
William Hawser. *a*.
Frederick Peiper.
John F. Robinson.

Drummer.

Henry Cann'g.

Privates.

Albertus, John *a*.
Alcorn, James
Anderson, John
Baltz, John
Barr, John
Beek, Henry
—Brown, Benjamin F.
—Brown, George
Brunner, Jacob *d*.

Burnotte, Charles
Carr, John *d*.
Carr, William
Cassidy, William *d*.
Clark, Robert
Conner, Cornelius *d*.
Cowan, John *d*.
Damshorn, Emanuel
Deluis, Frederick
Diehl, John P.
Donnelly, Michael *c*.
Doolin, Patrick
Duff, Charles
Ferguson, Franklin *d*.
Flynn, Thomas *c*.
Gallagher, Michael
Gendy, James
Genthoff, George *b*.
Gona, John
Gregg, Edward
Griffith, Richard
Harris, George H.
Hoffman, Franklin
Holden, Thomas *a*.
Jennings, Michael
Krug, Theodore
Kuckenbuger, Louis
Lawall, Philip
Loehr, Joseph
Lopez, Wright H.
Louth, Henry

Supplement.—Mustered out of service at camp, near City Point, Va., July 1, 1864, by Thomas B. Hizar, captain First Delaware Volunteers and A. C. M. One commissioned officer wounded, two non-commissioned officers killed, one non-commissioned officer wounded, three privates killed, nine privates died of disease, seven privates wounded, two of whom died of their wounds.

*Company G.**Captains.*

Charles P. Poy.
John F. Heishley.

First Lieutenant.

James J. Menamin.

Second Lieutenants.

Thomas J. Moore.
Charles Weiss.

First Sergeants.

Frederick Hardt.
Louis Mahles. *a*.

Sergeants.

Michael Cavanaugh. *a*.
Charles C. Fraser.
Abraham Hubbard.
William O. Lawrence.
Samuel Moore.
William Moore.

Corporals.

Francis Devlin.
George W. Haas.
William D. Hanison.
August Petersonella.
Ferdinand Scheiber. *a*.

Musicians.

Albert T. Abbott.
James Brady.
Alphonzo T. Mannang.
Robert Martin.

Wagoners.

George Burns.
Edward C. Fenton.

Privates.

Abel, Adolph
Ames, Joseph L.
Barton, George
Bastible, Daniel
Bernhard, Charles A.
Boggs, Caleb
Bracey, Samuel C. *d*.
—Brown, Henry
—Brown, John *c*.
Cake, Henry
Caldwell, William
Callahan, Cornelius *a*.
Carr, Peter
Cochran, Andrew
Croissans, Valentine
Daskam, Charles
Deonish, John E.
Fullore, Thomas
Fulton, Thomas C.
Glasman, Ludwig
Gorman, William
Graffe, William
Green, Joseph
Griessinger, Gottlieb *d*.
Hanbennestel, William
Heimback, Samuel
Henry, John *d*.
Hipson, William
Jeffries, Daniel
Jensup, David *d*.
—Johnston, William H.
Karacher, Alexander *a*.
Keegel, Frederick *c*.
Kelly, Hugh *a*.
Kelly, Jacob M.
Kensler, John *c*.
Kneff, Henry

Company G, Second Regiment—Continued.

| | |
|---------------------|---------------------------|
| Knowles, John | Rushton, Thomas |
| Marshall, Charles | Ryan, Edward C. |
| Maynard, James | Schaefer, John F. |
| McGurk, Michael | Schmidt, John |
| McKeeman, James a | Schraeckle, Frederick b |
| McKenna, Hugh | Smith, Charles |
| McMahan, Andrew | Smith, James |
| McNeal, Samuel | Smith, William |
| Mirgin, Charles | Spring, Charles c |
| Moore, Robert T. | Stille, John ¹ |
| Morgan, Charles | Sullivan, Eugene |
| Morris, Robert H. c | Townsend, Samuel A. |
| Murphy, Dennis | Warren, John |
| Paine, George C. | Weilbrenner, George |
| — Parker, James H. | Wilson, John |
| Rosach, George | Wilkinson, Thomas c |
| Rushon, James | Zeyher, Charles |

Supplement.—Mustered out of service at City Point, Va., July 1, 1864, by Thomas B. Hizar, captain First Delaware Volunteers and A. C. M. Three non-commissioned officers killed, four privates killed, four privates died of disease, seven privates wounded, one of whom died of his wounds.

Company H.

| | |
|----------------------------|------------------------|
| <i>Captains.</i> | Grow, Ernest b |
| Lewis Nolen. | Grubbs, John W. |
| James Plunkett. | Grummer, Thomas d |
| <i>First Lieutenant.</i> | Hardy, Robert |
| Henry C. Smith. | Hasson, John |
| <i>Second Lieutenants.</i> | Herpoldt, George |
| John Deveny. | Hogan, William |
| — Philip Johnson. | Hooper, James |
| <i>First Sergeants.</i> | Howard, Andrew |
| Edward Jochen. | Hyde, Jacob |
| Henry C. Smith. | Hyland, John b |
| <i>Sergeant.</i> | Kennedy, Joseph a |
| Thomas Russell. c | Kenny, James |
| <i>Corporals.</i> | Lane, John |
| William Hamilton. | Lawrence, John |
| Henry Holden. | Livingston, William |
| William McCutcher. | Louise, Elwood |
| <i>Drummers.</i> | McAuthor, John |
| John McCall. | McCarty, Charles |
| Thomas Peters. | McCarty, William |
| <i>Privates.</i> | McCoy, James |
| Abbott, Albert | McGlory, John |
| Arvine, James | McGrory, Hugh |
| Arvine, Patrick c | McIntyre, Charles a |
| Barton, John | McMahon, William |
| Beckley, George | McPike, Henry |
| Brady, William H. | Mobb, John B. |
| Braso, Orlando | Myers, William |
| — Brown, Isaac | Noble, John a |
| Buckley, L. D. | Nolen, Frank |
| Burnett, Charles | Noble, George |
| Call, Richard | Rice, John E. a |
| Chalfant, James | Richie, Robert b |
| Claypole, John | Sammit, Charles |
| Crumlish, Patrick a | Schluter, Adam |
| Cubbage, Michael | Schwarn, Urban |
| Detman, Charles | Sholder, Edward |
| Dickerson, Edward R. | Sigmond, William |
| Dorchel, Julius | Smith, Henry C. |
| Dougherty, John | Smith, Thomas a |
| Dull, Patrick a | Sperlein, Stephen |
| Emerson, George | Staug, Frederick d |
| Fachart, William | Steinbrook, Lafayette. |
| Fonton, James D. | Steinman, Peter |
| Ferry, Isaac | Taylor, William |
| Fletcher, James | Wakefield, William b |
| Gordy, Greenbury | Walker, William |
| Griann, Simon F. | Walraven, Alfred |
| | Weeks, William W. |
| | Whitcraft, John |
| | Woodbury, William |

Supplement.—Mustered out of service near Petersburg, Va., August 12, 1864, by R. C. Embler, captain Fifty-ninth New York

Volunteers and A. C. M. of Second Division of Second A. C. One non-commissioned officer wounded, seven privates killed, two privates died of disease, five privates wounded, four of whom died of their wounds.

Company I.

| | |
|----------------------------|----------------------|
| <i>Captains.</i> | Dunn, John a |
| Thomas Wenle. | Evans, George |
| Samuel J. Wood. | — Fisher, Samuel |
| <i>First Lieutenants.</i> | Fleetwood, William |
| William H. Brady. | Gemill, Arnold |
| Gideon T. Todd. d | Grear, Thomas a |
| <i>Second Lieutenants.</i> | Halter, James |
| Henry H. Jones. b | Halter, John d |
| John Kelsey. | Halverson, Thomas |
| <i>First Sergeant.</i> | Jenkins, Miller |
| Thomas J. Wood. | Jordan, Charles |
| <i>Sergeants.</i> | — Johnson, James |
| Jacob Boyd. a | — Johnson, William a |
| John Derrickson. | Kane, James |
| John G. Raymond. | Keatty, John |
| Edward Reynolds. | Keyser, Charles |
| Charles D. Springer. | King, George |
| George W. Unrich. | McConnell, James |
| <i>Corporals.</i> | McNee, John |
| — Robert Browne. | McGracer, Patrick |
| Thomas Lynch. | Melvin, Thomas |
| Curtis Pierce. | Montgomery, John |
| <i>Drummers.</i> | O'Hara, Michael |
| Thomas Ferguson. | Outler, Perry |
| Peter McKenna. | Prettyman, John |
| <i>Privates.</i> | Prettyman, Leven d |
| Allen, Charles | Raymond, Nicholas |
| Anderson, David | Rice, Lott |
| Anderson, Smith d | Rosell, James |
| Atkins, Stanton | Russell, Benjamin d |
| August, Charles a | Saville, Frank |
| Baker, John | Saville, James |
| Baker, Levi a | Sawer, Lewellian |
| Calahan, Thomas d | Scotten, John |
| Campbell, William | Scotten, William |
| Clutch, George | Sedgwick, John W. |
| Coleman, Seymour | Shultz, David H. |
| Collins, Lemuel | Sinex, John A. |
| Connelly, James | Sivot, Emanuel |
| Covert, Howard | Smith, Charles |
| Coyers, Lambert | Smith, Edward d |
| Cubbage, Luther c | Smith, James |
| Lawning, Peter | Stevens, George |
| Delavue, Robert c | Stewart, James |
| Dickerson, David d | Thompson, Victor |
| Dillihay, James | Vankirk, William d |
| Dillman, George | Vickers, Edward c |
| Dillman, John | Webster, Samuel |
| Dolen, Thomas | Wells, John |
| | Wilson, William |
| | Wiser, William |

Supplement.—Mustered out of service near Petersburg, Va., September 14, 1864, by A. C. Embler, captain Fifty-ninth New York Volunteers and A. C. M. of Second Division of Second A. C. One commissioned officer died of disease, one commissioned officer died of wounds, one non-commissioned officer killed, five privates killed, eight privates died of disease, three privates wounded.

Company K.

| | |
|---------------------------|------------------------|
| <i>Captains.</i> | Enoch L. McCallough. |
| — Philip Johnson. | Lewis T. Seroath. d |
| Joseph M. Barr. | <i>Corporals.</i> |
| <i>First Lieutenant.</i> | William Dougherty. a |
| William Drow. | Neil Green. |
| <i>Second Lieutenant.</i> | John Guthrie. |
| Charles E. Evans. | Albert E. Hunter. |
| <i>First Sergeant.</i> | Peter A. B. Kerbaugh. |
| Charles H. Hammer. | Patrick McKelvin. |
| <i>Sergeants.</i> | John B. Loftman. |
| Richard Fox. | Alexander H. Mason. |
| Isaac Janvier. a | <i>Drummers.</i> |
| Charles H. Lurch. | Alexander McCracken. d |

Company K, Second Regiment—Cont. used

| | |
|-----------------------|------------------------------|
| John Metracken. | Jones, Henry C. |
| Joseph Perkins. | Kane, John B. |
| <i>Privates.</i> | Kendall, John |
| Baird, William | Kirk, Marshall |
| Berger, Gottlieb d | Knoblauch, Charles |
| Bowers, Jacob a | Kurtz, Charles d |
| Boyd, John | Lang, John |
| Braherty, John | Lee, John |
| Burk, John | Laffland, Edward |
| Clayton, William | Linna, Joseph |
| Coffin, John B. | Mannerling, John H. |
| Davis, George | McDonnell, John |
| Devlin, Patrick | McIntyre, William d |
| Dillon, John | McKensser, Michael |
| Donnelly, Michael | Murphy, Thomas |
| Donahoe, Timothy | Parguea, Nicholas |
| Dotten, Eliash d | Parks, William |
| Dougherty, Hugh | Penn, Theodore |
| Dugan, Patrick | Pieroe, Isaac |
| Dunbar, Daniel | Phatan, Francis |
| Edward, Elias | Press, Thomas |
| Ferrell, William H. d | Robert J. Holt (1st lieut.). |
| Filler, John d | Rody, Henry |
| Foreacre, Robert | Russell, Edward |
| Gibson, John | Russell, Samuel C. |
| Grow, James | Russell, Thomas a |
| Gruthers, Alexander | Rutter, Gilbert |
| Harris, Thomas b | Smith, Henry F. |
| Heibling, Peter | Smith, James |
| Helman, James A. d | Stidham, Joseph R. |
| Hensler, Joseph | Stukey, John |
| Hickey, John P. | Suthie, John |
| Hilles, William d | Thompson, Harville |
| Hilton, Thomas G. | Van Huff, John E. d |
| Hood, Malcolm | Walraven, Isaac |
| Hopkins, Samuel | Wenn, George |
| Horsman, George H. | Wood, Charles Y. |

Supplement.—Mustered out of service near Petersburg, Va., October 1, 1864, by F. B. Dotter, captain Fourteenth C. V. and A. C. M. of Second Division of Second A. C. One non-commissioned officer killed, two non-commissioned officers died of disease, two privates killed, one private died of wounds, ten privates died of disease.

THIRD REGT. DELAWARE INFANTRY VOLUNTEERS.

Field and Staff Officers.

| | |
|----------------------------|----------------------------|
| <i>Adjutants.</i> | <i>Majors.</i> |
| William R. Aldred. | James E. Bailey. |
| Manuel Eyro, Jr. | Frederick Hackett. |
| Purnell I. Pettyjohn. | Arthur Maginnia. |
| <i>Surgeons.</i> | James B. Marr. |
| William Marshall. | <i>Chaplain.</i> |
| David E. Wolfe. | Thomas W. McClary. |
| <i>Assistant Surgeons.</i> | <i>Colonels.</i> |
| Thomas E. Dawson. | Samuel H. Jenkins. |
| Joseph M. Houston. | William O. Reddan. |
| <i>Quartermasters.</i> | <i>Lieutenant-Colonel.</i> |
| William H. Thompson. | William B. Dorrell, a |
| Edmond Towneend. | |

Supplement.—Two officers of the field and staff were killed in action, one died of wounds and one died of disease; three adjutants, two surgeons, two assistant surgeons, two quartermasters, four majors, one chaplain, two colonels and one lieutenant-colonel, constituted this staff, making a total of seventeen officers.

Non-commissioned Staff Officers.

| | |
|---------------------------------|------------------------------|
| <i>Sergeant-Majors.</i> | <i>Commissary-Sergeants.</i> |
| Albert T. Layton. | John M. Dunn. |
| David Sutton. | David T. Hickman. |
| John M. Wallace. | Edwin Wood. |
| Lorenzo D. Wilson. | <i>Hospital Stewards.</i> |
| <i>Quartermaster-Sergeants.</i> | John C. Hutton. |
| James H. Collings. | Moses Magee. |
| Ennols Robinson. | <i>Chief Musician.</i> |
| | James M. Sanders. |

Supplement.—Four sergeant-majors, two quartermaster-sergeants, three commissary-sergeants, two hospital stewards and one chief musician, making a total of twelve officers, constituted this staff.

Company A.

| | |
|----------------------------|----------------------|
| <i>Captain.</i> | Fleetwood, Curtis |
| Frederick Hackett. | Fleetwood, James |
| <i>First Lieutenants.</i> | Fleetwood, James H. |
| William R. Aldred. | Goslin, Mathew |
| Lorenzo D. Wilson. a | Hapa, Thomas |
| <i>Second Lieutenants.</i> | Harcum, John |
| William H. Lancashire | Harrington, Frank |
| Alfred D. Vandever. | Hughes, James P. |
| <i>First Sergeants.</i> | Johnson, James |
| Charles F. Eccleston d | Jones, John |
| Charles English. | Jones, Purnell B. |
| Lewis C. Grubb. | Jones, Stephen S. d |
| Edward F. Johnson. | Kelley Michael |
| <i>Sergeants.</i> | Kimney, James B. |
| Samuel Harrington. | Kline, Jesse |
| Jacob Longaire. | Krathner, Christian |
| Samuel McLane. | Lane, Thomas |
| Robert Taylor. | Lane, William |
| John D. Wells. c | Leigt, George |
| <i>Corporals.</i> | Leven, James |
| Byron Boddy. | Levering, David W. |
| James E. Herring. | Lewis, Samuel |
| Thomas McVey. | Lindle, Joshua S. c |
| Samuel N. Murphy. | Lindle, William |
| Enos P. Neale. | Lindsey, Lewis |
| David New. | Lowry, William H. |
| James T. Osmond. | Luffman, Martin M. |
| Patrick McBride. | Marahman, John. |
| <i>Musicians.</i> | Martin, Hugh |
| Otto W. F. Snyder. | McCluskey, John |
| John Reed. | McFait, James |
| James Sanders. | McGinnis, James |
| <i>Privates.</i> | McHinchey, Charles |
| Abbott, James D. | McKeeber, Daniel |
| Abbott, Samuel | McPherson, John |
| Adams, William F. | Metalier, Samuel |
| Algier, John | Miller, John |
| Atkinson, John | Millott, John |
| Barker, John L. | Mitchell, Thomas R. |
| Barker, Lewis | Murray, Isaac |
| Barras, William | Osmond, Aaron P. |
| Boyle, William | Palmer, Charles |
| Brown, James | Palmer, Shepherd H. |
| Burke, James | Perkins, Job F. |
| Carter, Amos | Pettijohn, Abiel S. |
| Chalfant, Jesse W. | Plasted, Samuel D. |
| Chalfant, James | Purcell, Michael |
| Clark, David | Purnell, Henry |
| Clendaniel, John | Quinn, Peter |
| Conklin, Richard | Richards, William F. |
| Coyle, Patrick | Ritchie, John |
| Creddick, William | Rogers, John |
| Cropper, Mollen W. | Royal, Charles A. |
| Dobbin, William | Russell, Samuel |
| Dorrell, Thomas a | Scott, Thomas |
| Dougherty, Patrick | Simmons, Samuel W. |
| Downing, John | Smith, James P. |
| Draper, Ephraim | Smith, John |
| Eagon, Peter | Solomon, John |
| Edmondson, Joseph. | Sparks, William D. |
| Edmondson, Thomas F. | Steele, Author |
| Englehard, Oswald | Steele, Suthor. |
| Fitzgerald, Garrett | Still, William |
| | Thom, George |
| | Vangeisel, Joseph |
| | Walsh, James |
| | Walters, Henry |
| | Williams, John |
| | Zimmery, Jacob |

Supplement.—One captain, two first lieutenants, two second lieutenants, four first sergeants, five sergeants, eight corporals, three musicians and ninety-eight privates, making a total

Company B, Third Regiment—Continued.

of one hundred and twenty-three men, constituted this company during its term of service and its final mustering out, June 3, 1865. One commissioned officer was killed in action, one non-commissioned officer died of disease, three privates were wounded and one died of disease.

*Company B.**Captains.*

James A. Haughey.
James B. Marr.

First Lieutenants.

William Gallagher.
John P. Williams.

Second Lieutenants.

William Green.
William Hitchins.

First Sergeants.

Burton Edward.
Charles Collins.

Sergeants.

Joseph D. Dayaworthy.
James Hudson.
Joseph W. Gardner.
Joseph Thomas.
John Kilpatrick. *b*
Pass, (1st name not given). *a*

Corporals.

David Dalsey.
George King.
John H. Simple. *b*

Drummers.

James Balger.
William J. Gardner.
John Husk.

Privates.

Backer, Bayard.
Backer, David.
Backer, Robert.
Balger, Dennis.
Bettingham, Barton.
Brown, John.
Butterworth, Robert.
Campbell, William.
Carey, John.
Carlon, Edward.
Chandler, William.
Collins, Cyrus *c*
Crampfield, Burton.
Crampfield, William.
Devlin, John.
Devine, Patrick *c*
Dickerson, Alfred.
Downs, Edward.
Dyer, John.
Ellensworth, Andrew.
Evans, Lemuel.
Gamby, Stephen.
Gantt, George.
Geiger, Jacob.
Gregg, Ellis.
Green, John.
Hall, Elijah.
Hammond, George *b*
Hamilton, Joseph.
Hammond, John J. *b*
Hancock, George *d*
Hancock, John.

Supplement.—Two captains, two first lieutenants, two second lieutenants, two first sergeants, six sergeants, three corporals, three musicians and ninety-seven privates, making a total of one hundred and seventeen men, constituted this company during

Harris, George.
Hastings, Joseph.
Hastins, Joshua.
Hitchins, John M.
Holloway, Henry.
Hudson, Elisha.
Hudson, John H.
Hudson, Noah.
Johnson, Purnell *d*
Johnson, William.
Jones, Eabey.
Joseph, William.
Jupont, Valentine.
Koster, John.
Kramer, Joseph A.
Krotzer, William.
Lair, Paul.
Lane, John.
Layton, David.
Leo, Charles.
Lewis, Alfred *d*
Lewis, Perry.
Liebhand, Charles.
Long, George.
Lyngo, Lewis C. *d*
Lynn, James.
Mayer, Charles.
McCabe, Henry.
McDonald, James.
McIntyre, Thomas.
McKinay, Francis.
Megee, Patrick *a*
Melvin, Bartholomew.
Mitchell, Thomas.
Mitchell, Henry B.
Mitchell, Isaac.
Mitchell, John.
Mitchell, William.
Mitchell, Wingate.
Merner, William S. *a*
Moore, Lawrence.
Morris, Henry.
Morris, William.
Nickerson, Andrew.
Odd, William.
Parson, Landen *d*
Pass, Frederick.
Payntor, James.
Rust, William.
Savage, Trueborn G.
Short, James C.
Smith, Elijah.
Smith, James.
Spear, John.
Surplix, Thomas.
Torbert, William *c*
Walls, Samuel.
Walls, William H.
Watson, John.
Watson, Kinsey A.
Welsh, John.
Wilkins, Frank.
Wilson, George.
Wilson, James.
Young, Frederick J.

its term of service and its final mustering out, June 3, 1865. One non-commissioned officer was killed in action and two died of disease; two privates were killed in action, two were wounded, two died of wounds and six died of disease.

*Company C.**Captains.*

William B. Dorrett.
Joseph D. Dagworthy.

First Lieutenants.

Philemon Green.
David Sutton.
John M. Wallace.

Second Lieutenants.

Charles H. Mancey.
Robert Spurge.

First Sergeants.

Charles W. Baynard.
William H. Stout.

Sergeants.

Thomas H. Benson.
Benjamin F. Burton.
John C. Darby.
David Landis.
Albert S. Layton.

Corporals.

Charles E. Carrow.
William H. Duncan.
Stephen Martindale.
John H. Ross.
Frederick Stout.
John D. Thompson.
George L. Warren.

Musicians.

Thomas Anderson.
Henry S. Davis.
William T. Saulsbury.

Privates.

Alexander, Robert.
Anderson, George.
Atchinson, Willford.
Barker, John H. *d*
Beddis, William.
Bostick, Thomas.
Boan, John.
Bright, John.
Bronchous, Gustavus.
Brook, John W.
Carrow, Richard.
Cassady, Peter.
Cassless, William.
Condon, William.
Cotton, George W.
Curry, James *a*
Daniells, John *d*
Darling, Luther.
Dassler, Diesler.

Supplement.—Two captains, three first lieutenants, two second lieutenants, two first sergeants, five sergeants, seven corporals, three musicians and ninety-four privates, making a total of ninety-eight men, constituted this company during its term of service and final mustering out, June 3, 1865. One commissioned officer died of wounds, two non-commissioned officers died of disease; three privates were killed in action, two were wounded and five died of disease.

*Company D.**Captains.*

Benjamin F. Butler.
Levin B. Day.

First Lieutenants.

William T. Day.
George W. Joseph.

Second Lieutenant.

Purnell J. Pettijohn.

First Sergeant.

Isaac T. Hart. *c*

Sergeants.

Charles Abel. *c*

Company D, Third Regiment—Continued.

Robert M. Joseph.
Greenbury A. Rogers.
John M. C. Steel. *d*
Samuel T. Trehearn. *c*
William R. West.

Corporals.

John Calaway.
George E. Cordray. *a*
William Jefferson.
Noah Joseph.
David A. Lawton.
Elias Messick. *d*
George Phillips.
John E. Thoroughgood.
Edmund T. McCalley.
William E. Wilson.

Drummer.

John S. Gallagher.

Pifer.

William S. Pepper.

Privates.

Bailey, John.
Bailey, William H.
Bignal, David E.
Butcher, Richard
Cain, William
Clendaniel, Kendal B.
Colburn, Joseph M. *c*
Collins, William T.
Conaway, Miles M. *c*
Day, William P.
Dora, John H.
Gorlee, George H. *d*
Griffith, Melvov
Hand, Nebrehlah C.
Harty, Eli
Hatchens, Hiney *c*
Johnson, Henry W.
Johnson, John W. *c*
Johnson, Josiah
Johnson, Samuel B.
Johnson, William B. *c*
Jorgton, Emiel
Joseph, James H.

Joseph, Joshua B.
Joseph, Sylvester *d*
Joseph, William *d*
Kimmey, James M.
L'audt, Francis W. E.
Lawson, William
Layton, Richard
Marriner, William
Martin, Hugh
Martin, William H.
Marvill, Lemuel H.
Mathews, Wingate
Megen, John R.
Megee, Moses
Megee, William H.
Milman, Elisha E.
Murray, Daniel
Piper, Benjamin
Pourem, Gustave
Reynolds, Charles P.
Reynolds, Lewis
Russell, William *d*
Salmons, James *d*
Salmons, William *c*
Sherdon, Philip K.
Shockley, James
Short, William H. *c*
Smith, David R. W. *d*
Smith, Henry C.
Stephens, John H.
Stockley, Jacob W. *d*
Tindall, Charles *b*
Torbert, William H.
Vincent, Short W.
Vickers, Joseph K.
Walls, George
Walls, Greenbury
Walls, Henry R.
Walls, John H.
Warrington, John T. *c*
Wert, Phillip E.
Wert, Robert H.
Wilson, Alexander
Wilson, Dagworthy D.
Wilson, George F.
Winson, Isaac W.

Bright, William A.
Brisson, James
Burk, Michael
Burton, Richard *b*
Carey, John
Clark, William
Clifton, David *d*
Cole, Thomas
Connell, James
Cork, Jacob
Cox, Brinton
Crouseup, George R.
Daniel, William R. *a*
Davidson, Isaac
Diar, Jeremiah
Donahue, William
Dooling, Daniel *d*
Donahue, John
Draper, Isaac
Draught, John
Fischler, William
Flinn, Michael
Frank, George
Fry, Orlando
Gerry, Joseph.
Gordon, John
Grady, James.
Green, Robert.
Graff, Peter
Hamilton, Joseph
Hanna, Alfred
Hays, Thomas *d*
Hogan, Daniel *c*
Holsten, John
Howell, William
Jakes, Lewis *c*
Jester, George
Jester, Jonathan
Johnson, George B.
Jones, Richard
Jones Samuel
Kiehl, Jacob
King, Theodore B.
Kirby, James.
Klosterman, Frederick
Laus, William J.
Leech, John

Lewis, Samuel
Loomis, William
Mahone, Abel S.
Martin, Hugh
Mathison, John J.
McGrath, Terrence
McPike, Michael
McQueg, John
Monahan, Henry
Murphy, Collins T.
Murray, William
Myers, William
Newkron, Lewis
O'Donnell, Thomas *d*
Ogle, Joseph
Pierce, John W.
Potts, John
Robinson, Curtis
Robinson, Joshua B.
Robinson, William E.
Robinson, William W.
Rudolph, John *c*
Russell, William
Scott, Benjamin F.
Sedlacek, Adolph
Short, Francis
Short, Zebulon
Simmons, Samuel W.
Sparks, Joseph W.
Sullivan, Robert
Sweetwood, Valentine
Thompson, George
Toner, Daniel
Townsend, James H. *a*
Truitt, Samuel
Valdue, Ernest *c*
Walls, Littlebury
Walton, Thomas
Warden, Frank
Warner, Thomas
Webster, John
White, Edward
Wilson, James A.
Wright, Charles A.
Wright, John R.
Woods, William
Wyatt, Daniel

Supplement.—Two captains, two first lieutenants, one second lieutenant, one first sergeant, six sergeants, ten corporals, two musicians and sixty-eight privates, making a total of ninety-two men, constituted this company during its term of service, and its final mustering out, June 3, 1865. One commissioned officer was killed in action, three were wounded and two died of disease; seven privates were wounded, seven died of disease, one died of wounds and one died from accident.

Supplement.—Three captains, three first lieutenants, one second lieutenant, one first sergeant, seven sergeants, six corporals, two musicians and ninety-nine privates, making a total of one hundred and twenty-two men, constituted this company during its term of service and its final mustering out, June 3, 1865. One commissioned officer was killed in action; one non-commissioned officer was killed in action and one was wounded; three privates were killed in action, three were wounded, one died of wounds, four died of disease and one died from an accident.

*Company E.**Captains.*

James E. Baily.
William H. Plunkett. *a*
John M. Wallace.

First Lieutenants.

Benjamin T. Hutchinson.
Dagworthy D. Joseph.
John T. Simmons.

Second Lieutenant.

William D. Sparks.

First Sergeants.

Thomas Hall.
Lorenzo D. Wilson.

Sergeants.

Abijah Corson. *a*
Charles English.
Alfred Erickson.

Robert F. Gamble.
James R. Mason.
George Snitcher.

Corporals.

Charles L. Carr.
William Conaway.
William Donnelly.
John R. Holledger.
James Steeno. *c*

Musicians.

Samuel Fife.
John Sanders.

Privates.

Alexander, Robert
Atkinson, Robert
Baily, Thomas J.
Bills, Samuel F. *a*
Bradford, John R.

*Company F.**Captains.*

Horace A. Lewis.
William J. McKaig.

First Lieutenants.

A. L. Anderson.
William W. Ewbanks.

Second Lieutenants.

Daniel Clifton.
John E. Willey. *c*
First Sergeant.
John H. Dickinson. *c*

Sergeants.

John Albright.
John E. Birney.
Alexander D. Maxwell.
Edward McGovern *b*
Theodore Milton.

George W. Ward. *c*
Joshua Willey. *a*
Job P. Wilson. *c*
James H. Young.

Corporals.

William A. Anderson.
John P. Booth. *a*
John H. Collison.
David Ardrie.
Andrew Hams. *c*
Ferdinand Nichols.
John St. Ledger.
Thomas H. Wingate. *a*

Drummer.

James F. Engle.

Privates.

Adams, Garrett
Adams, George

Company F, Third Regiment—Continued.

| | |
|---------------------|----------------------|
| Adams, Nathan | McCafferty, James a |
| Adams, William | McCoughey, Mathey |
| Artin, Richard b | McDonough, Edward |
| Bardsley, James | McGeen, Edward |
| Bermont, Samuel | McGonigal, John |
| Blessington, Joseph | McGuinness, James |
| Bornett, Peter b | McNeal, James |
| Bosshard, Jacob | Mills, Alexander |
| - Brown, Henry c | Monsley, John |
| - Brown, John H. | Mullin, John |
| Bussell, John | O'Bryan, Samuel |
| Butterworth, James | Parwaters, William |
| Clark, Stephen | Pettyaha, James |
| Clifton, George | Pryor, Freadius A. b |
| Conner, James | Redden, John |
| Cooper, Michael | Richardson, George |
| Cox, Joseph B. | Rinkard, Edward |
| Cox, Joshua d | Roberts, John H. |
| Dougherty, John | Rose, John W. |
| Dougherty, Michael | Schmidt, Henry |
| Downing, Timothy | Searles, William |
| Fitzmorris, James | Shepherd, George |
| Ford, Slayter d | Smith, George |
| Founda, Lewis H. | Smith, John |
| French, Edward | Smith, Philip |
| Gallagher, Thomas | Steward, Robert |
| Gibbons, James | Strode, David H. c |
| Glausin, Elias | Sullivan, Dennis a |
| Green, John | Talley, George |
| Hadden, John d | Taylor, Robert |
| Hanily, John | Temple, John B. |
| Holmes, Thomas | Tottow, John |
| Holston, George | Thorp, James b |
| Hoeding, Foster C. | Toland, Michael |
| Hummell, Wolfgang | Traugher, Israel |
| Jester, Isaac | Tucker, James |
| Jones, Benjamin B. | Wardell, Alexander |
| Jones, George W. c | Watchinson, Thomas |
| Justison, Martin M. | Wadman, Jacob c |
| Kelley, John | Wiggins, George W. |
| Keran, Frederick | West, Eli |
| Kinsel, Joseph a | Woodbery, William |
| Meredith, John | |

Supplement.—Two captains, two first lieutenants, two second lieutenants, one first sergeant, nine sergeants, eight corporals, one musician and eighty-five privates, making a total of one hundred and ten men, constituted this company during its term of service and its final mustering out, June 3, 1865. One commissioned officer was wounded; three non-commissioned officers were killed in action, four were wounded and one died of wounds; three privates were killed in action, four were wounded, four died of wounds and three died of disease.

Company G.

| <i>Captains.</i> | <i>Corporals.</i> |
|----------------------------|---------------------|
| George W. Joseph. | Benjamin F. Baker. |
| James L. Quigg. | James Curns. |
| <i>First Lieutenants.</i> | <i>Musicians.</i> |
| Horace Lowie. | Benjamin M. Beesby. |
| William H. Stout. | John C. Ferguson. |
| Osbourn Watson. | |
| <i>Second Lieutenants.</i> | <i>Privates.</i> |
| John H. Collins. | Adams, Richard |
| John M. Dunn. a | Alcorn, James |
| <i>First Sergeants.</i> | Banning, James L. |
| James B. Carpenter. | Banning, James W. |
| William W. Ewbanks. | Barry, David |
| John L. Goldy. | Beck, Henry |
| John S. Williams. | Blahe, Lewis |
| <i>Sergeants.</i> | Bliss, William |
| John Morgan. c | Botta, Minane |
| William Prettyman. | |
| Joseph H. S. Ward. | |
| Thomas Woodens. | |

| | |
|---------------------------|-------------------------|
| - Brown, Charles | Morgan, Zebedee |
| - Brown, Joseph F. | Myers, William |
| Burns, Thomas W. | O'Brady, James H. |
| Budd, Samuel W. | Parvia, James |
| Caball, Richard F. c | Passwaters, Joseph |
| Cathoun, James P. | Passwaters, William B. |
| - Chandler, James W. | Peterman, Edward |
| Cowell, Thomas | Phesant, William H. H. |
| Condon, George | Queen, James |
| Devine, Charles | Randall, Thomas |
| Dickerson, Allison | - Reese, George |
| Dillhay, John | Richter, Joseph |
| Dorane, Thomas | Ripp, Henry |
| Ebbling, Robert | Roach, Stephen |
| Ellsworth, Joshua d | Robertson, Joseph |
| Faulkner, William H. | Robinson, John |
| Fraser, John | Sarde, John H. |
| Gillecy, Patrick | Scott, James H. |
| Hall, Henry | Searles, William |
| Harrington, Jonathan D. c | Shultz, Adam |
| Hussey, William D. | Smith, Henry |
| Heartly, George | Smith, James |
| Henry, Philip | Smith, John |
| Hickman, Burton d | Smith, William F. |
| Hobbs, Sylvester H. | Smyth, Thomas |
| Hollinger, Thomas H. d | Sloane, George |
| Holston, James H. | Stevenson, William F. c |
| Hopple, George G. | Talley, John C. |
| Jones, James H. b | Voss, William. c |
| Knight, John H. | Ward, William B. |
| Limb, William | Webb, Mason D. |
| Lloyd, Charles A. c | Webb, William H. H. |
| McFadden, Charles | West, Henry d |
| McFadden, John | Weygand, John |
| McLarren, John | Woodruff, A. H. d |
| Montoto, Genava | |

Supplement.—Two captains, three first lieutenants, two second lieutenants, four first sergeants, four sergeants, seven corporals, two musicians and seventy-four privates, making a total of ninety-eight men, constituted this company during its term of service and its final mustering out, June 3, 1865. One commissioned officer was killed in action; two non-commissioned officers were wounded; one private died of wounds, three died of disease and five were wounded.

Company H.

| <i>Captains.</i> | <i>Privates.</i> |
|----------------------------|---------------------|
| John H. Cade. | Arg, Joseph |
| Thomas Draper. | Banks, Joshua B. |
| <i>First Lieutenant.</i> | Baker, George |
| John Shilling. | Barnett, Elias H. |
| <i>Second Lieutenants.</i> | Bickering, Henry |
| Manuel Eyre, Jr. | Billings, Thomas |
| Horace A. Lewis. | Butterworth, Robert |
| <i>First Sergeants.</i> | Cain, Daniel |
| Horatio Cornell. | Carey, Thomas d |
| William S. Main. | Carr, Francis P. |
| <i>Sergeants.</i> | Clendaniel, John c |
| John U. Harrington. d | Conaway, Andrew. |
| Patrick McMonagh. | Cottman, John |
| Charles W. Prettyman. | Cooper, William |
| James E. Trezzere. d | Cox, Aaron W. c |
| <i>Corporals.</i> | Dewees, Abram |
| James R. Carney. | Dill, Alexander S. |
| Alexander S. Dill, Sr. | Dodd, James S. d |
| William Houck. c | Downham, James |
| Martin U. Lodge. | Dyer, Stephen c |
| Joshua Lofland. d | Egloff, John |
| John Mills. | Fields, Joseph H. |
| Isaac F. Spicer. | Finan, John |
| Edward Stubbs. c | Floyd, James |
| Henry Wainwright. | Foster, Robert H. d |
| George W. Wilcox. | Frank, Louis N. |
| <i>Drummers.</i> | Franko, Charles H. |
| James McGrinder. | Gunner, John |
| George H. King. | Hazard, David T. |
| | Hess, Joseph |
| | Hood, Burton |

Company H, Third Regiment—Continued.

| | |
|----------------------|------------------------|
| Hood, James | Newton, John |
| Hazzard, Peter | Osborn, Joseph T. |
| Heathers, Horatio N. | Palmer, John S. |
| Hurd, Mark | Pepper, Thomas B. |
| Jackson, Garrett | Reynolds, William |
| Jalls, Jacob | Reynolds, William H. a |
| Jester, Aaron | Rhodes, Thomas |
| Jester, Henry | Secore, Caleb |
| Johnes, William H. d | Sharp, Isaac |
| Keeley, John | Simmons, John |
| Kirk, John | Smith James b |
| Kirk, William | Smith, William |
| Kosman, Edward c | Steel, Jacob |
| Leonard, James P. | Vaulkinson, Augustus |
| Lodge, John R. | Walls, John H. |
| Lofland, Trusten P | Walls, Nehemiah W. |
| Lynch, Noah d | Walls, William d |
| Massey, Joseph | Warrington, William B. |
| McClafferty, Patrick | Watson, Robert |
| McHenney, Frank | Webb, Joseph |
| McKimmer, Francis | Whittle, Richard |
| McLean, Thomas d | White, William H. |
| McNatt, Burton | Williams, James |
| Menner, Thomas | Wilson, William |
| Morris, James R. b | Wrigley, Joseph |

Supplement.—Two captains, one first lieutenant, two second lieutenants, two first sergeants, four sergeants, ten corporals, two musicians and eighty-one privates, making a total of one hundred and four men, constituted this company during its term of service and its final mustering out, June 3, 1865. Two non-commissioned officers were wounded and three died of disease; one private was killed in action, four were wounded, two died of wounds and seven died of disease.

Company I.

| | |
|----------------------------|---------------------------|
| <i>Captain.</i> | Campbell, James F. |
| James E. Stewart. c | Cant, Thomas d |
| <i>First Lieutenants.</i> | Champion, William |
| Lewis C. Grubb. | Coleman, John H. |
| Mahlon H. Preston. | Cosens, Henry D. |
| <i>Second Lieutenant.</i> | Cullen, Francis |
| George C. Webb. | David, T. Hickman |
| <i>First Sergeants.</i> | Davis, John |
| Manuel Eyre, Jr. | Davis, William |
| Samuel H. Haas. c | Devlin, Charles |
| <i>Sergeants.</i> | Dinsmore, James M. |
| Samuel W. Catmell. | Dresen, Henry |
| Joseph G. Crossland. | Dyer, John W. |
| John Hart. | Edward Hammond (wagoner). |
| Richard U. Kerby. | Engle, John |
| <i>Corporals.</i> | Fleming, Henry b |
| Henry A. Beck. | Ford, Allen |
| William Gorman. d | Francise, Carroll |
| John A. Husbands. b | Gallagher, Lewis |
| Nathaniel S. Longfellow. d | Gorman, Thomas |
| Amos Singley. | Grinder, Christian b |
| John Smith. | Hanna, Jacob |
| <i>Musicians.</i> | Hankins, Eldrid G. |
| Andrego T. Poulson. | Harris, John S. |
| Elwood L. Wilson. | Henry, Charles J. |
| <i>Privates.</i> | Hickey, George C. |
| Algie, John L. c | Hugh, Israel P. |
| Armstrong, Hugh N. | Hood, Frank |
| Baer, John | Hosler, William d |
| Bainbridge, John | Inpont, Valentine |
| Baker, William | Jones, George |
| Bartle, Samuel a | Lewis, George |
| Berry, William | Lewis, James G. |
| Bond, William | Lewis, William |
| Budworth, John | Luffmann, Martin M. |
| Burty, Edward M. | Marshall, Denton |
| Camae, William | Mathewson, Luther |
| | McVay, Henry. |
| | Miller, William |
| | Morris, James K. P. |
| | Murry, John |
| | Myers, Lewis T. |

Myers, Peter
Nolen, Charles W. c
Omehaney, Timothy.
Paynter, James H.
Phillips, John B.
Reed, John
Seofield, Benjamin
Seofield, James
Sheer, Adam
Simmons, John G. d
Simmons, John R. c
Skulper, John D.
Smith, Harry H.
Strieaguth, Ernest
Tatum, Charles.

Thomas, L. R.
Tibbit, Richard B. a
Timlin, John
Veith, Andrew
George, Henry (wagoner). a
Warren, Purnell J.
Watson, George
Westly, George L.
Wickey, John
William H. Reeder (corporal).
Wilson, Charles
Wilson, James
Worthington, Charles
Young, William

Supplement.—One captain, two first lieutenants, one second lieutenant, two first sergeants, four sergeants, six corporals, two musicians and eighty-two privates, making a total of one hundred men, constituted this company during its term of service and its final mustering out, June 3, 1865. One commissioned officer was wounded, one non-commissioned officer died of wounds, two died of disease and one was wounded; three privates were killed in action, three were wounded, two died of wounds and three died of disease.

Company K.

| | |
|----------------------------|------------------------|
| <i>Captain.</i> | Dunham, Mathew d |
| James H. Barker. | Elliott, Andrew W. |
| <i>First Lieutenant.</i> | Elliott, Andrew W. |
| Richard E. Smith. | Ellis, Achille |
| <i>Second Lieutenants.</i> | Ennis, Frank N. |
| Joseph D. Dagworthy. | Esom, William |
| William S. Main. b | Flanery, Michael |
| George W. Scott. | Floyd, James |
| <i>First Sergeants.</i> | Forkum, John |
| Patrick Fitzgerald. | Francis, Melchior. |
| Albert Younghanus. | French, Joseph H. |
| <i>Sergeants.</i> | French, Joseph H. |
| John S. Harvey. | Glenn, John |
| Rachab Holton. | Hall, William W. |
| Daniel Montique. | Hankins, Eldad L. |
| Charles Munson. | Hasting, Joseph H. |
| James Perkins. | Heller, Purnell |
| <i>Corporals.</i> | Higgins, Joseph. |
| Samuel Betts. a | Hirsch, George |
| Charles Clarkson. | Honey, Joseph |
| Kendle B. Clendaniel. | Hoopes, William. |
| Michael Fitzgerald. | Hording, Joseph |
| Samuel P. Jones. | Jester, Jacob |
| James Shaw. | Jines, George T. |
| William Smith. | Jines, George T. |
| <i>Drummer.</i> | Jones, David |
| Alexander Jobna. | Joseph, Joshua B. |
| <i>Privates.</i> | Joseph, Sylvester C. d |
| Bailey, Lorenzo D. | Klittner, Clinton |
| Barcroft, Stephen | Knight, John H. |
| Barlow, Felix T. | Lawless, John |
| Barlow, Nicholas | Lewis, William |
| Bennett, Stephen B. | Lloyd, John L. |
| Boeman, Christopher | Lloyd, Thomas |
| Boeman, John. | Loag, James |
| Bostil, William. | Lynch, Levi |
| Boston, John | Marks, Edwin |
| Cantwell, George | Marks, Edwin |
| Carroll, Thomas. | Marshall, Thomas |
| Collins, Isaac T. | Marvel, Lemuel H. |
| Collins, Isaac T. | Marvel, Lemuel H. |
| Collins, James H. | Massey, James T. |
| Connaughton, Thomas | Massey, William W. |
| Cullen, Burton d | McCarty, Charles C. |
| Daniels, Samuel | McClane, John a |
| Doyle, Patrick | McNichols, Andrew |
| Dunbar, William | Moore, James d |
| | Moore, John |
| | Morgan, James |
| | O'Neal, Anthony |
| | O'Neal, Anthony |
| | Pettyjohn, James |
| | Prettyman, William E. |

Company K, Third Regiment—Continued.

| | |
|---------------------|----------------------|
| Read, John H. | Thompson, William |
| Robinson, Ennels W. | Wagner, John |
| Sarde, James | Watson, George |
| Shaw, Stephen S. d | Williams, William S. |
| Simkins, Marcus d | Williams, William S. |
| Stear, Curtis H. | Wingate, George |
| Stevens, Elijah | Wright, William |
| Struble, John | |

Supplement.—One captain, one first lieutenant, three second lieutenants, two first sergeants, five sergeants, seven corporals, one musician and eighty-seven privates, making a total of one hundred and seven men, constituted this company, during its term of service and its final mustering out, June 3, 1865. One commissioned officer died of wounds and one non-commissioned officer was killed in action; one private was killed in action and six died of disease.

FOURTH REGT. DELAWARE INFANTRY VOLUNTEERS.

Field and Staff Officers.

| | |
|-----------------------------|---------------------------|
| <i>Colonel.</i> | <i>Quartermaster.</i> |
| A. H. Grimshaw. | Charles H. Gallagher. |
| <i>Lieutenant-Colonels.</i> | <i>Surgeons.</i> |
| C. Carroll Tevis. | D. S. Hopkins, d. |
| Charles E. La Motte. | Linton Smith. |
| <i>Major.</i> | <i>Assistant Surgeon.</i> |
| Moses B. Gist. | — Joseph B. Lyon. |
| <i>Adjutant.</i> | <i>Chaplains.</i> |
| William H. Cloward. | William H. Fries. |
| | William T. Tull. |

Supplement.—The field and staff of this regiment were composed of one colonel, two lieutenant-colonels, one major, one adjutant, two quartermasters, two surgeons, one assistant surgeon and one chaplain, making a total of eleven officers mustered out October 11, 1864. One surgeon died of disease.

Non-commissioned Staff Officers.

| | |
|---------------------------------|-----------------------------|
| <i>Sergeant-Majors.</i> | <i>Commissary-Sergeant.</i> |
| Richard G. Buckingham. | John W. Armstrong. |
| W. C. T. Poulson. | <i>Hospital Steward.</i> |
| <i>Quartermaster-Sergeants.</i> | — William H. Brown. |
| John H. Klingler. | <i>Principal Musicians.</i> |
| E. C. Jefferis. | James W. Agnew. |
| | O. V. Gilkey. |

Supplement.—Two sergeant-majors, two quartermaster-sergeants, one commissary-sergeant, one hospital steward and two principal musicians—eight officers—constituted the staff during its term of service and its final mustering out June 3, 1865.

Company A.

| | |
|---------------------------|---------------------|
| <i>Captains.</i> | <i>Corporals.</i> |
| Evan C. Stotsenburg. | William Buckingham. |
| John R. Van Loan. | George W. Dodge. |
| Andrew J. Williams. | Samuel Jones. |
| <i>First Lieutenant.</i> | James Rylatt. |
| Joseph S. Wheeler. | Samuel H. Weaver. |
| <i>Second Lieutenant.</i> | John T. Young. |
| — Alfred L. Price. | <i>Musician.</i> |
| <i>First Sergeant.</i> | John Dixon. |
| Paul Jaquette. | <i>Privates.</i> |
| <i>Sergeants.</i> | Alcorn, George |
| Hiram P. Armstrong. | Armstrong, John W. |
| William H. Barnett. | August, Jacob |
| Peter G. Briloly, a. | Baldwin, Eli |
| William R. Bullen. | Barlow, Charles d. |
| Abram H. Draper, d. | Barlow, George d. |
| David Mitchell. | Beausert, Samuel |
| Daniel T. Stewart. | Beck, Isaac T. |
| William H. Treen. | Bennum, William H. |
| Thomas B. Turner. | — Brown, James |
| | — Brown, John |

| | |
|--------------------------|------------------------|
| — Brown, William | McCann, David |
| Burch, Joseph | McGovern, Peter |
| Burk, John | McLaughlin, John |
| Burns, Charles | McNeil, William d. |
| Clark, James | Melvin, James |
| Chillingworth, Henry d. | Miller, John |
| Cochran, William | Mills, George P. |
| Collins, James G. | Minor, Peter |
| Coulter, Henry d. | Murphey, Jonathan G. |
| Covington, Elwood | Murray, David S. |
| Dale, Thomas | Murray, Mason M. |
| Davitt, Dennis R. | Osterhoff, Hiram |
| Docherty, Peter | Pierce, Charles W. |
| Elwood, Craig (corporal) | Pierce, David M. |
| Fairfield, Thomas | Putman, Alexander C. |
| Flinn, Michael | Reynolds, Samuel d. |
| Garland, Matthew | Reynolds, William T. |
| Gleason, Daniel | Rice, Jacob d. |
| Golley, Lewis d | Riggs, Robert d. |
| Greer, Charles | Robinson, William |
| Gutherie, Benjamin a. | Robinson, William T. |
| Gutherie, John | Ross, Joseph A. |
| Hamilton, William | Sanderlin, Jeremiah d. |
| Hamilton, William B. | Scott, John |
| Hart, Matthew | Simpson, Robert N. B. |
| Hazel, Henry | Tobin, Thomas a. |
| Hazel, Robert | Vansant, Thomas C. |
| Hessren, John | Wasterholms, Charles |
| Hickman, Edward | Whibley, James |
| Hill, John T. | Williamson, John |
| Houghton, Dennis | Woods, Daniel |
| Jefferis, Edmund | Woods, Napoleon B. |
| Jorden, Henry P. | Woods, William |
| Lacompt, John N. | Workman, Henry |
| Martin, William H. | |

Supplement.—Three captains, one first lieutenant, one second lieutenant, one first sergeant, nine sergeants, seven corporals, one musician and seventy-nine privates, making a total of one hundred and two men, constituted this company during its term of service and its final mustering out June 3, 1865. One non-commissioned officer died of disease, and one was killed in action; two privates were killed in action and ten died of disease.

Company B.

| | |
|----------------------------|-----------------------|
| <i>Captains.</i> | <i>Musicians.</i> |
| Thomas H. Challenger. | Charles A. Tryor. |
| Moses B. Gist. | Francis J. Can. |
| <i>First Lieutenants.</i> | <i>Wagner.</i> |
| William H. Lamont. | Richard Hannum. |
| Eldridge S. Yardley. | <i>Privates.</i> |
| <i>Second Lieutenants.</i> | Adams, James |
| John H. Dowling. | Bailey, Alfred c |
| Pierce Neals. | Bargar, William |
| <i>First Sergeants.</i> | Billings, John P. |
| Louis H. Carty, c | Black, John. |
| John M. Walker. | Black, William d |
| <i>Sergeants.</i> | Blizzard, Thomas c |
| William Bamford. | Bradford, John |
| Peter Deckman. | Brong, George |
| Eli Dickerson. | Buck, William |
| George Short. | Cain, Joseph d |
| Gardner R. White, a | Caldwell, Jonathan |
| Richard H. Williams. | Chadwick, Edmund |
| <i>Corporals.</i> | Cook, James |
| Abner Bailey. | Cumming, Benjamin a |
| William D. Bath. | Cumming, William a |
| George W. Churnsides. | Davis, John |
| Thomas Doyle. | Dexter, Norman b |
| Joseph Duffey, c | Dickerson, William H. |
| Joseph Horne. | Dougherty, John |
| Benjamin T. Little, b | Doyle, John d |
| George Plumline. | Fenner, Louis |
| Samuel Porter, c | |
| Joseph Robinson, c | |

Company B, Fourth Regiment—Continued.

| | |
|-----------------------|-----------------------|
| Fitzsimmons, John | Putnam, Israel |
| Galleger, Patrick | Remp, George. |
| Garnor, Michael | Reys, Joshua d |
| Goswitsch, Edgar | Ridden, Edward |
| Gilbert, George W. | Robinson, William B. |
| Hague, William | Roller, John F. |
| Hand, William L. | Ryan, Thomas |
| Hastings, Joseph | Schuk, Peter |
| Hastings, Samuel | Sheffield, Simon B. d |
| Johnson, Louis | Sheffield, Thomas |
| Johnson, William C. c | Shilcutt, Joshua c |
| Larrimore, George T | Simmons, Edward |
| Larrimore, James E. b | Simpson, Edward |
| Legg, Joseph | Skilley, Patrick d |
| Maynard, Joseph | Sweeney, Hugh |
| McConnell, David | Swift, Thomas |
| McCray, Henry | Seer, Thomas |
| McGuire, Francis c | Thomas, Albert |
| McLean, William | Vasey, Charles A. |
| McMannus, Michael | Vasey, William R. |
| McNatt, James c | Walters, Edward |
| McNeal, Charles A | Ward, John A. b |
| Merer, James R. | Ward, Thomas |
| Munson, Henry c | Wardell, Charles |
| Murphy, Robert H. c | Wilkins, John C. |
| Murphy, William | Williams, Charles |
| O'Neal, Dennis | Williams, Spencer |
| Phalen, Francis | Wright, Robert |
| Pipher, William c | Wrigley, Alfred |
| Poff, George W. | Yarnell, Clayton |

Supplement.—Two captains, two first lieutenants, two second lieutenants, two first sergeants, six sergeants, thirteen corporals, two musicians, one wagoner and eighty-two privates, making a total of one hundred and twelve men, constituted this company during its term of service and its final mustering out, June 3, 1865. One non-commissioned officer was killed in action, four were wounded and one died of wounds; four privates were killed in action, seven were wounded, three died of wounds and six died of disease.

Company C.

| | |
|---------------------------|---------------------|
| <i>Captains.</i> | Bailey, Bernard |
| Frank McClosky. | Baker, George |
| S. Rodman Smith. | Barden, John |
| <i>First Lieutenants.</i> | Bassin, Frederick |
| William C. Scott. | Baxter, William T. |
| William T. Warner. | Beaufort, Samuel |
| <i>Second Lieutenant.</i> | Berk, Stephen |
| John T. Townsend. | Boys, Joseph |
| <i>First Sergeant.</i> | Burns, Owen |
| Joseph H. Glatta. | Burns, Peter |
| <i>Sergeants.</i> | Campbell, Joseph H. |
| William H. Blest. | Carr, Charles |
| William C. Couslin. | Causer, John |
| Edward J. Dougherty. | Clark, George |
| Thomas J. Graves. | Clark, Henry K. |
| James O'Neill. | Conner, John |
| <i>Corporals.</i> | Cookinback, Joshua |
| Patrick McGowan. | Cox, John T. |
| Hendricks Mordica. b | Coyle, Patrick |
| Michael O'Brian. | Dougherty, James |
| Bartholomew Vance. | Drown, George |
| <i>Hospital Steward.</i> | Ducey, Thomas |
| William H. Brown. | Freeman, Joseph |
| <i>Musicians.</i> | Green, John |
| David Founda. | Hackett, Patrick |
| Henry Hunt. | Hamilton, John |
| Martin Justinson. | Hardy, John |
| Louis Saville. | Harman, Thomas M. d |
| Franklin Walker. d | Heyes, John. |
| <i>Privates.</i> | Hoffman, John |
| Aberle, Peter | Holmes, Frederick |
| Austin, William W. M. | Hughes, John |
| | Hyatt, David |
| | Iredell, Joseph |
| | Isherwood, Joseph |
| | Kane, Michael |

| |
|---------------------------|
| Langan, Patrick |
| Larrison, George R. |
| Lendermann, Christ'r H. d |
| Lester, William d |
| Lynch, Michael |
| Mahon, Robert |
| Max, William a |
| McAllan, John |
| McCann, David |
| McCarthy, Charles |
| McElwee, John |
| McGuire, William |
| McIntyre, Felix |
| McMahon, Thomas |
| Moore, Robert T. |
| Murphey, Patrick |
| Murphy, John A. |
| Myers, Charles J. |
| Nemitz, John G. |
| O'Brian, Michael |
| O'Neill, Daniel |
| O'Neill, Patrick H. |
| Paul, Ambrose B. |

| |
|---------------------------|
| Peery, William d |
| Pitt, Joseph |
| Poulsen, William C. T. |
| Price, Jacob |
| Pugh, Lawrence |
| Ready, John |
| Roberts, John |
| Ross, Francis |
| Salmanay, Gustave |
| Schoolmaster, Louis |
| Seyten, William W. |
| Smith, David |
| Smith, John |
| Smithers, Charles W. |
| Spence, John |
| Splane, William |
| Stidham, John T. |
| Vandever, Joseph |
| Walraven, Alfred T. |
| White, David |
| Wilson, Isaac (corporal). |
| Yockum, John |
| Young, Robert |

Supplement.—Two captains, two first lieutenants, one second lieutenant, one first sergeant, five sergeants, five corporals, five musicians, one hospital steward, and sixty privates, making a total of eighty-two men, constituted this company during its term of service and its final mustering out, June 3, 1865. One non-commissioned officer died of wounds, two privates were killed in action, and four died of disease; one musician also died of disease.

Company D.

| | |
|---------------------------|------------------------|
| <i>Captain.</i> | Carter, Mordecai |
| George W. Curry. | Cavender, James G. d |
| <i>First Lieutenants.</i> | Cloud, Jesse |
| Merce Noals. | Cockran, Charles F. |
| John R. Van Loan. | Crawford, John a |
| <i>Second Lieutenant.</i> | Dickerson, Robert |
| Joseph B. Wheeler. | Dillen, David D. G. |
| <i>First Sergeants.</i> | Donnavant, Jacob |
| Richard Bickings. d | Drabold, John |
| Sylvester Solomon. | Farnau, Charles E. |
| <i>Sergeants.</i> | File, John E. d |
| Edwin F. Bradley. | Flitz, Emmor |
| Joseph C. Dutton. | Frick, Christian |
| Samuel Lewis. | Gallagher, Thomas b |
| Charles P. Mortimer. a | Garrettsen, William K. |
| Henry W. Perkins. | Gibson, Thomas W. a |
| John M. Warren. a | Griffith, Titus |
| <i>Corporals.</i> | Haley, Patrick |
| Willis J. Crowdsdale. | Hardy, Henry A. |
| John W. Dick. | Harman, Charles |
| Joseph L. Killgore. | Hendrickson, John E. |
| William Lomax. | Holcroft, Alfred |
| Jacob Lamplugh. | Hope, Charles |
| George E. Rice. | Ingle, William E. b |
| Robert L. Smith. | Johnson, George W. |
| Isaac Uptide. | Kenney, James |
| Peter Wood. | Kirby, Isaac |
| William Yonker. | Knott, James |
| <i>Wagoners.</i> | Kreller, Frederick |
| Ezekael Fisher. | Lee, Enoch a |
| Joseph R. Rice. | Maloney, Isaac |
| <i>Privates.</i> | Martin, William |
| Agnow, James | McClane, William |
| Beckley, Andrew | McDaniel, John |
| Bird, John L. | McDonnell, Thomas |
| Bradford, Charles | McNitt, Samuel |
| Brown, Lyman B. a | Merritt, Calvin |
| Bullock, John | Mortimer, John T. |
| Butcher, Henry | Porter, William |
| Carter, David | Pyle, Isaac |
| | Pyle, Robert L. |
| | Reece, David |
| | Reed, Josiah |
| | Rice, William H. |
| | Righter, Isaac |

Company D, Fourth Regiment—Continued.

| | |
|-------------------|--------------------|
| Riley, Thomas | Sneath, Samuel |
| Rosell, Isaac | Taylor, Joseph C. |
| Rudolph, William | Todd, William L. |
| Schwenk, Robert | Udite, Isaac |
| Simpers, Robert | Virtue, Samuel B. |
| Smith, James | Weldon, James |
| Smith, Thomas | Wyatt, James |
| Smith, William H. | Yarnall, Springer. |

Supplement.—One captain, two first lieutenants, one second lieutenant, two first sergeants, six sergeants, ten corporals, two wagoners and sixty-nine privates, making a total of ninety-three men, constituted this company during its term of service and its final mustering out, June 3, 1865. Two non-commissioned officers were killed in action and one died of disease; four privates were killed in action, two died of wounds and two died of disease.

Company E.

| | |
|---------------------------|----------------------|
| <i>Captains.</i> | Draper, Benjamin a |
| James Burnet. | Driggest, Levi |
| John C. Harper. | Dunlap, Alexander |
| <i>First Lieutenant.</i> | Dunnall, Harvey J. |
| David E. Buckingham. | Elliott, George |
| <i>Second Lieutenant.</i> | Fanan, John C. |
| — John H. Carson. | Ford, Job |
| <i>First Sergeants.</i> | Foundes, Jonas |
| Joseph H. Chambers. | Gregg, Ellis W. d |
| Richard G. Buckingham. | Gregg, Isaac |
| <i>Sergeants.</i> | Gregg, Thomas S. d |
| Edgar A. Finley. | Hanson, John |
| Levi McCormick. | Hawlin, Thomas b |
| Benjamin Michener. | Heasern, David H. |
| Jacob Wingate. | Hollson, Benjamin d |
| George E. Wollaston. | Huhn, George |
| Samuel Worrell. | Ibart, Joseph |
| <i>Corporals.</i> | Jacobs, Henry |
| George G. Lacklen. a | Johnson, John |
| Lyod Backly. | Kerna, William W. |
| James Harkness. | Lee, Charles |
| Nathaniel G. McCormick. b | Little, Levi |
| William T. Davis. | Lumb, Charles C. |
| Joseph S. Heald. | Maguire, Martin a |
| Cortland M. Fell. | Maguire, Peter |
| William H. Greenwalt. | Mason, George W. |
| John Leathain. | Meaney, John |
| John S. Mote. | May, William |
| Thomas L. Smith. | McDonough, John |
| <i>Wagoner.</i> | Moore, Spencer d |
| Charles W. Young. | Morrison, Andrew d |
| <i>Musician.</i> | Moss, John |
| — Charles Johnson. | Mote, Isaac |
| <i>Privates.</i> | Mott, William W. |
| Barton, Elisha L. | — Parker, William H. |
| Bateman, Perigan b | Pasey, Lea |
| Bradly, William T. | Ridgeway, David B. |
| Bradly, Zachariah T. | Risbough, Robert |
| Campbell, John b | Rumor, George B. |
| Cloud, Joseph J. d | Shortledge, Samuel |
| Croft, James | Steward, Andrew J. |
| Crossan, Theodore | Vansant, William W. |
| Currey, Ellis P. | Walker, Parley C. b |
| Cush, Barney a | Weaver, Elwood W. |
| Darl, Isaac | Whiteman, Henry M. |
| Davis, John b | Whiteman, William H. |
| Doll, Patrick | Wilkinson, Joseph W. |
| | Wiser, Jacob P. |
| | Wolfe, William R. |
| | Wollaston, Edwin |
| | Woods, William |

Supplement.—Two captains, one first lieutenant, one second lieutenant, two first sergeants, six sergeants, ten corporals, one musician, one wagoner and sixty-four privates, making a total of eighty-eight men, constituted this company during its term of service and its final mustering out, June 3, 1865. One non-commissioned officer was killed in action and one died of wounds;

three privates were killed in action, five died of wounds and six died of disease.

Company F.

| | |
|---------------------------|----------------------|
| <i>Captain.</i> | Farrow, Oliver P. |
| Daniel H. Kent. c | — Fisher, Stephen H. |
| <i>First Lieutenant.</i> | Fitzgerald, Thomas |
| Henry Gawthrop. | Foley, Patrick |
| <i>Second Lieutenant.</i> | Fox, John |
| William Statham. c | Gallity, John |
| <i>First Sergeants</i> | Griffith, Francis P. |
| James McCafferty. | Griffith, William |
| Edward D. Gaylord. b | Grose, Edward B. |
| James R. Mack. | Hains, Michael b |
| Alphus Wilson. | Hallman, Anthony |
| <i>Sergeants.</i> | Hampton, Peter |
| Edward H. Gregg. | Hanson, John |
| Lindley C. Kent. | Hanson, Julius |
| A. Willard Nolan | Heidelberg, M. |
| Caleb Osmond. | Heller, William H. |
| Barron Washington. | Herbert, Gideon |
| <i>Corporals.</i> | Hickman, John L. |
| Andrew Baird. b | Hinaker, William H. |
| James Carrow. c | Hurd, James b |
| William H. Hignutt. b | — Johnson, George |
| — Darling Johnson. a | Jones, William c |
| Rufus Monekton. | Kelly, Eli |
| Cornelius Palmatory. | Lattimer, Otto |
| Jesse Reed. | Luke, John |
| John Salmons. c | Maloney, M. |
| Caleb B. Sheward. d | McBride, William B. |
| Charles Steinebach. b | McCall, William |
| Thomas L. S. Willigus. | McDowell, William |
| <i>Wagoner.</i> | McGovern, P. |
| Abraham Bratton | McMichael, John |
| <i>Musicians.</i> | Meyers, Henry |
| John Mulladay. | Moore, James |
| Edward W. Pike. | Peterson, L. P. d |
| <i>Privates.</i> | Phillips, John |
| Alexander, Charles | Pierce, Peter |
| Alfred, John | Poor, William |
| Anderson, John | Powell, Martin |
| Atkins, Charles | Provost, Benjamin |
| Baldwin, George A. | Rock, James H. F. |
| Beeby, Daniel W. | Scattergood, Daniel |
| Bond, John L. | Schild, James |
| — Brown, Isaac J. | Shaw, David M. |
| Burns, Joseph c | Smith, Luther a |
| Campbell, R. | Splakman, R. B. |
| Cassel, Neal | Spence, Joseph c |
| Clark, David D. | Steele, Elisha |
| Clark, Eli | Still, Samuel d |
| Clark, John E. | Stott, Robert |
| Coggins, Howard c | Swede, Charles |
| Cole, William | Thaules, John |
| Cooper, Josiah G. b | Toner, John c |
| Corcoran, Thomas c | Trayser, Philip L. |
| Cox, Thomas | Vandiver, William |
| Croson, William | Wells, William P. |
| Donnelly, James. | Welson, William |
| Doyle, James | White, John |
| Enright, Hugh J. | Williams, Alexander |
| | Wilkinson, Samuel |
| | Wilmot, Simon |
| | Wilson, Robert |
| | Wilson, Samuel |
| | Wood, W. H. |
| | Zimmerman, Charles |

Supplement.—One captain, one first lieutenant, one second lieutenant, four first sergeants, five sergeants, eleven corporals, two musicians, one wagoner and eighty-eight privates, making a total of one hundred and fourteen men, constituted this company during its term of service and its final mustering out, June 3, 1865. Two commissioned officers were wounded; one non-commissioned officer was killed in action, two were wounded, four died of wounds and one died of disease; one private was killed in action, six were wounded, three died of wounds and two died of disease.

*Company G.**Captain.*William H. Maclary. *a**First Lieutenants.*James Burnet.
Aaron P. Osmond.
Alpheus Wilson.*Second Lieutenant.*

Alexander Harper.

*First Sergeants.*Stephen T. Buckson. *a*
Manlove Hazel.*Sergeants.*Robert L. Downs.
Daniel Green. *c*
Louis H. Magee. *c*
Osborn E. Palmer.
William P. Voshell.*Corporals.*William H. Daniels.
William A. Dodd.
William H. Hazel. *c*
- Daniel R. Johnson.
Adams D. Learned.
John W. Maclary. *b*
Washington K. Maclary.
Charles A. Newton.
William H. Palmory. *d*
- John A. Parker.
David B. Peregooy.
Thomas G. Reeves. *d*
William L. Sparks.
Denny Stevenson.*Musicians.*John Higgins.
Charles Jones.
William Lolen.*Privates.*Atkins, Charles A.
Allison, William J. *c*
Armitage, Thomas J.
Benjamin, William T. *d*
Biddle, John
Biddle, William H.
Bartley, WilliamCaproon, Garrett
Chadwick, James
Connolly, Tilman B.
Daniels, Clinton W. *c*
Downham, Thomas S.
Ford, Edward *d*
Fowler, John *c*
Fox, Robert M. *a*
Glikey, Obediah V.
Hacket, Samuel *c*
Hall, Benjamin F.
Hall, Israel M.
Harrington, Peter B.
Hazel, James H.
Hickman, John L.
Hignuth, William H.
Hoffecker, Benjamin
Jackson, John W. *d*
Jefferson, Ephraim
- Johnson, Fletcher J.
Jones, Joseph H.
Keith, Francis H.
Marshall, William B.
Mattiford, Denny
Miller, George N.
Nelson, William F. *b*
Palmer, Joseph E.
Powell, Nathaniel R. *c*
Rash, Daniel *d*
Rash, William J.
Reed, Jesse
Rich, William
Richans, John T.
Scotten, James H. *b*
Sipple, Henry C.
Slaughter, James
Smith, William J.
Smithers, Thomas J.
Spence, James
Steele, John W.
Thomas, John W.
Thomas, Samuel J.
Vane, William S. *c*
Voshell, Titus I.
Wallace, James *d*
White, John
Williams, Whittington H. *d*
Wood, William A.
Woodres, John
Wooters, Albert

Supplement.—One captain, three first lieutenants, one second lieutenant, two first sergeants, five sergeants, fourteen corporals, three musicians and fifty-seven privates, making a total of eighty-six men, constituted this company during its term of service and its final mustering out. One commissioned officer was killed in action; three non-commissioned officers were wounded, two died of disease, one was killed in action and one died of wounds; six privates died of disease, four were wounded, two were killed in action, two died of wounds and one died from accident.

*Company H.**Captains.*Hesekiah Cullen.
Thomas M. Reynolds.*First Lieutenant.*

John H. Dowling.

*Second Lieutenants.*Edwin C. Jefferis.
William T. Warner.*First Sergeants.*John H. Klingler.
William F. O'Donnell.
Charles H. Sullivan.*Sergeants.*Charles M. Buckmaster.
William H. Hewes.
Samuel Morris. *c*
Daniel F. Stewart.
Thomas B. Willis.*Corporals.*Theodore F. Brayman.
William M. Broadway.
- Caleb S. Brown. *d*
Jacob F. Cegrist. *b*
James H. Cochrum. *d*
John W. Cummins.
- Thomas Darling.William B. Hollowell.
Henry R. Spencer. *c*
Edwin F. Wood.*Musicians.*Henry S. Ford.
Charles E. Lord.*Privates.*Berry, William H.
Billing, John *c*
Birchfield, John
Bratton, Henry
Bryan, Joseph W. *b*
Broadway, Samuel *d*
Buchanan, Robert.
Carter, Henry C.
Chapman, Newnham.
Clark, Thomas
Creeden, Charles
Dill, Samuel
Dodd, William H.
Dougherty, James *d*
Frazier, Robert M.
Gates, James P.
Gillespie, George
Gray, William
Griffin, John *b*
Griffith, Samuel
- Gummere, Jesse L.
- Gummere, William
Gunderman, John *a*
Hafner, Frederick
Harrington, Jacob

Supplement.—Two captains, one first lieutenant, two second lieutenants, three first sergeants, five sergeants, ten corporals, two musicians and fifty-seven privates, making a total of eighty-two men, constituted this company during its term of service and its final mustering out, June 3, 1866. One commissioned officer died of wounds, two non-commissioned officers died of disease, two were wounded and one died of wounds; four privates were killed in action, three died of disease, one was wounded and two died of wounds.

*Company I.**Captain.*

Harlan Gause.

*First Lieutenants.*S. Rodman Smith.
Richard H. Webb. *a*
James M. Williamson.*First Sergeant.*

Charles Thompson.

Sergeants.- Joseph R. Price.
Simeon S. Myers.
John A. Patterson.
Robert Thomson.*Corporals.*William H. Boulden.
John W. Burnett.
Patrick Clark.
Theodore J. Denney.
John Ferguson.
Andrew J. McKibbins.
James Lord.*Privates.*Adams, William T.
Ainsworth, Joseph
Barton, Samuel
Bellew, Benjamin
Billen, John
Campbell, James *d*
Cash, William *b*
Cern, HenryHarria, John
Hopkins, Ezekiel *d*
Hunter, William
Inman, John
Jones, Nicholas
Jones, William
Kelley, Barney
Maxon, Daniel
Meredith, Thomas
McNeil, Alexander
Penrow, John
Phillips, James C.
Potter, Charles H.
Reed, Thomas
Riggs, David V. *a*
Rose, Richard S.
Ruth, William
Scott, Solomon *a*
Shaeffer, Jacob
Smith, James
Smith, John
Stafford, James
Steel, Ellis
Steel, Peter *a*
Stevenson, Thomas L.
Wagner, James
Walker, William T.
West, Charles T.
Wilkinson, William
Williamson, Joseph G.
Wilson, Andrew J.
York, James

Company I, Fourth Regiment—Continued.

| | |
|-------------------|-------------------------|
| Mallison, John | Schihl Patrick |
| Mathews, Peter b | Sentman, Davis |
| Mayer, William | Sithins, William H. |
| McCarty Charles | Sharp, John |
| McDavitt, John | Slaughter, William H. a |
| McIntyre, William | Talley, Adam C. d |
| McKibbins, George | Thomson, William |
| McMahon, James | Virtul, David L. |
| Miller, Andrew J. | Walker, William W. |
| Miller, Joseph | Whelen, James |
| Miller, Pusey J. | Wigglesworth, George |
| Morgan, John | Wilson, William |
| Omensetter, Jacob | Woodrow, Simeon |
| Parkinson, Thomas | Wrigley, Alfred |
| Purnell, Henry | Yeatman, Hoopes a |
| Roberts, John V. | Young, Norris R. |

Supplement.—One captain, three first lieutenants, one first sergeant, four sergeants, seven corporals and seventy-four privates, making a total of ninety men, constituted this company during its term of service and its final mustering out June 3, 1865. One commissioned officer was killed in action; four privates were killed in action, two died of wounds and two died of disease.

Company K.

| | |
|---------------------------|----------------------|
| <i>Captain.</i> | Dever, John. |
| Joshua S. Valentine. | Dorbrooke, Charles |
| <i>First Lieutenants.</i> | Dunsmore, William a |
| John H. Carson. | Foster, John W. |
| Thomas H. Challinger. | Gallagher, Michael |
| <i>Second Lieutenant.</i> | Griffith, Francis P. |
| Eldridge T. Yardly. | Harcastle, James |
| <i>First Sergeant.</i> | Harper, Edward d |
| William Drinkhouse. | Harrigan, William |
| <i>Sergeants.</i> | Harris, William |
| John F. Brainard. | Hart, Arthur |
| Philemon Cronoy | Headin, William |
| John Hanly a | Hickey, James |
| George W. Johnson. | Hiller, William H. |
| James O'Neal. | Hitch, David W. |
| <i>Corporals.</i> | Hoover, Alfred |
| Jeremiah Bryan. a | Hosmer, George W. |
| James W. Carney. | Jeandell, Francis |
| John H. Cleaves. | Johnson, Darling |
| Henry W. Glatts. d | Johnson, Thomas W. |
| Robert K. Ingram. | Jones, Thomas C. |
| George B. McCleas. | Kelly, Eli |
| William J. Richards. a | Keyser, John C. |
| David M. Shaw. | Kiley, William |
| Richard B. Speakman. | King, James |
| <i>Musicians.</i> | Lynch, John |
| Henry B. Henderson. | Lyons, Mark |
| George O'Brien. | Maginnis, Peter |
| Thomas M. Vandiver. | Mason, John |
| <i>Privates.</i> | Mason, Robert J. |
| Atkinson, Samuel P. | McAnalle, Patrick |
| Banett, Robert a | McCall, William |
| Borrell, George W. b | McCrea, James d |
| Brainard, Charles H. | McFadden, John |
| Carl, Patrick | McGlinchey, Charles |
| Carroll, James F. | McLaughlin, Charles |
| Collins, John d | McMichael, John |
| Cook, Jonathan | McPike, Isaac |
| Cox, Thomas | Messick, John W. |
| Coylo, James. | Miller, John |
| Cummings, Dennis | Mills, William |
| Cunningham, James | Moise, William |
| Cushing, Timothy | Morris, Andrew a |
| Daily, William | Murphey, Patrick |
| Darling, Henry | Nolen, Patrick c |
| Dennis, Zachariah G. | O'Brien, James |
| Dever, Andrew | Palmatory, Cornelius |
| | Payne, Charles E. d |
| | Payne, John F. a |
| | Pheasant, James d |
| | Poore, William |
| | Quillen, Joseph |

Ritchie, Abraham
Rock, James H. F. d
Russell, Joseph a
Ryan, James
Salmons, John
Sammons, David B.
Smith, Jacob W.
Smith, Philip
Sparks, Charles
States John
Sweeney, William

Tolbert, Joseph
Vandiver, Stephen a
Vandiver, William L.
Waldon, Patrick
Wells, William P.
Wilgus, Thomas J.
Wilkinson, Samuel
Williams, George
Wiley, Albion
Young, Thomas J.

Supplement.—One captain, two first lieutenants, one second lieutenant, one first sergeant, five sergeants, nine corporals, three musicians and ninety privates, making a total of one hundred and twelve men, constituted this company during its term of service and its final mustering out, June 3, 1865. Two non-commissioned officers were killed in action, one was wounded and one died of disease; six privates were killed in action, six died of disease, one was wounded and one died of wounds.

FIFTH REGIMENT.

Field and Staff Officers.

| | |
|----------------------------|-----------------------|
| <i>Colonel.</i> | <i>Adjutant.</i> |
| Henry S. M. Comb. | — Moore. |
| <i>Lieutenant-Colonel.</i> | <i>Quartermaster.</i> |
| Christian Fibiger. | — Preston. |
| <i>Major.</i> | <i>Surgeon.</i> |
| Edgar Hounsfield. | Dr. Hamilton. |

Company A.

| | |
|---------------------------|-------------------------|
| <i>Captain.</i> | Cole, James C. |
| Alhanan M. Burton. | Colwell, Manassah |
| <i>First Lieutenants.</i> | Countiss, William L. |
| Anson W. Shaw. | Cox, Canby |
| William Q. Moore. | Cox, Stephen T. |
| <i>Second Lieutenant.</i> | Crawford, Whitfield |
| Benjamin F. Buckley. | Cummins, Benjamin |
| <i>First Sergeant.</i> | Davis, John |
| Thomas F. Moreland. | Deputy, John |
| <i>Sergeants.</i> | Devall, John |
| John E. Chew. | Farra, Charles |
| Charles F. Thomas. | Feaster, Anthony. |
| Henry M. Butler. | Fenton, Ralph |
| Allen R. Hollingsworth. | Foulk, Thomas |
| <i>Corporals.</i> | Gilling, John C. |
| Henry Biddle. | Ginn, William B. |
| Lewis T. Grubb. | Gregg, Nelson |
| George W. Taylor. | Grieves, James |
| Edwin Lewis. | Griffenberg, William T. |
| Lewis H. Talley. | Hamilton, Alexander |
| Benjamin Willis. | Hamilton, Edward |
| Charles Hagnan. | Hill, William |
| Charles H. Heald. | Jones, Samuel |
| <i>Musicians.</i> | Justis, George |
| Benjamin Adair. | Justison, George C. |
| Edwin Franks. | Kendall, John B. |
| <i>Privates.</i> | Kershaw, Joseph |
| Adair, John. | Kirby, Arnold |
| Aldred, Joseph D. | Kirkman, John K. |
| Armstrong, Henry | Lawdon, Joseph E. |
| Barney, Alexander | Lenhart, William H. |
| Barr, Jacob | Lewis, Jacob |
| Blake, Charles W. | Lippincott, George |
| Boyd, William B. | Locke, Joseph |
| Brown, Daniel | Lowber, Joseph |
| Burnette, John | Maney, James |
| Carlisle, Steward | Marten, Aaron |
| Chaifant, Ellis Y. | Mater, John |
| Chew, Charles W. | Maxwell, Benjamin D |
| | McCoy, John W. |
| | McGlaughan, Collis |
| | McGlaughan, William |
| | McKay, James |
| | Montgomery, David |

Company A, Fifth Regiment—Continued.

Moore, Gideon O.
Morford, James E.
Myers, John
Pierson, Newlin
Preston, William
Pusey, Jonas
Pylo, Robert
Reed, Samuel
Riley, Jackson d
Rigby, James
Rumford, Charles
Scout, William H., Jr.

Simmons, William
Smith, John P.
Speakman, Midlin
Steino, James
Steward, Edward W.
Steward, Joseph
Taylor, George
Thomas, William L. G.
Thomas, William W.
Valentine, William H.
Vernon, William G.
Williams, John

Supplement.—Mustered out of service at Wilmington, Delaware, August 10, 1863. One private died of disease.

*Company B.**Captain.*

Lammot du Pont.

First Lieutenant.

Isaac H. Richards.

Second Lieutenant.

William McKnight.

First Sergeants.

Isaac S. Griffith.
James McKenna, a

Sergeants.

Samuel R. McDowell.
John S. Miller.
Henry Danby.
William Brinckle.

Henry Brown.

Corporals.

Henry Buchanan.
William Haley.
Joseph Chandler.
Charles F. Wilson.
John Davis.
David Merchant.
Phineas Derrickson.
Robert A. Stewart.

Musicians.

Evan C. Davis.
David W. Thompson.

Wagoner.

David Buchanan.

Privates.

Allison, James
Allison, William
Banning, William
Baxter, Malcolm
Beatty, John
Benson, John
Black, John
Brown, James
Brown, Thomas
Cain, James
Calboun, John
Cargill, Robert
Caseidy, Edward
Caseidy, John
Chadwick, Joseph
Clark, Thomas
Collins, Michael
Cone, Michael
Daugherty, James
Daugherty, John
Daugherty, William C.
Deaver, Stephen
Dehan, Victor
Deviney, William
Dillworth, Thomas

Donahue, Mathew
Dougherty, Thomas a
Dugan, John
Ewing, Andrew
Flanagan, John
Flinn, John
Foster, Hugh
Gibbons, James
Ginn, John F.
Greenhalgh, William
Gregg, Samuel
Haley, Edward d
Hamilton, William
Heavie, Joseph.
Hunter, Richard
Innis, George
Irvine, George
Irvine, Thomas
Kelley, James
Kelley, Robert
Kerna, Patrick
Lapierre, Victor
Little, Thomas.
Littlehead, Robert
Lynn, John
McAulspie, Arthur
McCartney, Nicholas
McClaferty, John
McHugh, Bernard
McKendrick, William
McKenney, James
McMonagle, Patrick
Miller, James D.
Moore, Samuel
Morrison, Joseph
Nevin, William
O'Donnell, Charles
O'Meally, Michael
O'Neal, John
Patton, James
Peoples, John
Peoples, Thomas
Pierson, Marsh
Rambo, Daniel
Reynolds, Patrick
Rowe, William
Scanlan, Alexander J.
Scanlan, Charles
Simpson, Joseph
Sterling, Washington.
Sterritt, William H.
Stuart, Andrew
Stuart, William
Taylor, Thomas
Thompson, Edward
Wheeler, Charles M.
Wilson, James A.
Wood, James.

*Company C.**Captain.*

Samuel L. Rogers.

First Lieutenant.

John Taylor.

Second Lieutenant.

William H. Hoopes.

First Sergeant.

James Mills.

Sergeants.

John Taylor.
Joseph R. C. Montgomery.
Joseph L. Taylor.
William Blackburn.

Corporals.

Henry Buzine.
Henry L. Bush.
Joseph D. Pierson.
Morris McDowell.
Robert Grimes.
Joseph W. Wilkinson.
William A. Green.
Abraham A. Woolston.

Musicians.

James Armstrong.
John Schofield.

Privates.

Bareford, William
Barrett, Edward
Barry, Homer
Birnie, Robert W.
Boucher, Joseph G.
Boyd, Henry M.
Buck, Francis N.
Buzine, Martin
Busine, Samuel, Jr.
Carson, Thomas.
Chalfant, J. W.
Cheik, William L.
Clower, Daniel
Cooper, Robert B.
Craig, Samuel R.
Crossdale, William F.
Culbert, Samuel
Cumer, John
Denormanding, Thomas A.
Gardner, Nathan B. H.
Gerhart, N. K.
Gregg, George W.
Gregg, William H.
Griffith, Edmund
Grimes, Lighton

Supplement.—Mustered out of service at Wilmington, Delaware, August 10, 1863.

*Company D.**Captain.*

Hugh Stirling.

First Lieutenant.

James M. Peoples

Second Lieutenant.

Horace N. Mosely

First Sergeant.

Robert C. Farin

Sergeants.

John Q. Stirling.
James Bond.
William Mayne.
George W. Harriet.

Corporals.

James Green.
Michael Harkins.
Ferdinand Erras.
John Sharpless.
William A. Backhus.
Alexander Burns.
James Hunter.
Maria T. Dixon.

Musicians.

Charles A. Plank.
Charles Massey.

Privates.

Bailey, Thomas
Ball, George

Supplement.—Mustered out of service at Christiana Hundred, Delaware, August 12, 1863. One non-commissioned officer killed, one private killed, one private died of disease.

Company D, Fifth Regiment—Continued.

| | |
|-----------------------|----------------------------|
| Barr, James B. | Hurter, William |
| Beddes, Charles | Hall, Thomas A. |
| Benson, Michael | Hamilton, Joseph |
| Bickings, Franklin | Jackson, Pusey W. |
| Bidingsby, John | Kincart, William |
| Bond, Benjamin | Laferty, John |
| Buck, Robert | Laplene, Xavier |
| Buffington, James | Learey, William d |
| Carr, Robert | Little, Francis |
| Chapman, William | Luke, William |
| Clough, Thomas | Lynn, Robert |
| Clowes, Samuel | Macklan, John |
| Craig, Jacob | Mason, Richard H. |
| Craig, Lambert | McAvery, Barney |
| Croft, Mather | McBride, John |
| Crosier, Andrew J. | McKenna, James |
| Dalley, William | Morrell, Felix |
| Daugherty, Daniel | Mousley, Curtis |
| Daugherty, George B. | Mousley, James |
| Daugherty, Hugh | Parks, Andrew |
| Daught, James | Pasques Nicholas |
| Davis, Anthony | Petitdemange, Francis, Jr. |
| Dehan, John P. d | Poole, Joseph |
| Derry, John | Poole, William H. |
| Derry, John, Jr. | Reese, Thomas J. |
| Derry, Michael | Rikertoe, Mathew |
| Derrick, Samuel H. | Rumer, William |
| Dizer, Thomas | Scarborough, John Z. |
| Elliott, Joseph | Sharpless, Benjamin |
| Fether, Samuel, Jr. d | Sharpless, Caleb, Jr. |
| Fisher, John | Shields, Peter |
| Fleming, Thomas | Stewart, James L. |
| Freer, Joseph T. | Stimmell, John |
| Gamble, Robert | Stirling, Victor |
| Garvine, John M. | Taylor, David W. |
| Grear, Elwood R. | Wallace, Valentine |
| Green, William F. | Wilson, David J. |
| Greenfield, George H. | Wilson, James |
| Hall, Calvin H. | Wilson, William, Sr. |

Supplement.—Mustered out of service at Dupont's Mills, Delaware, August 12, 1863, by Henry B. Judd, major. Three privates died of disease.

Company E.

| | |
|---------------------------|---------------------|
| <i>Captains.</i> | Baldwin, Thomas J. |
| Edgar Housfield. | Bange, Alfred |
| Joseph Perry | Banner, John |
| <i>First Lieutenant.</i> | Barnhill, Michael |
| Eli Bangs. | Bennett, John F. |
| <i>Second Lieutenant.</i> | Brogan, Thomas |
| John V. Rice | Broomall, Joseph |
| <i>First Sergeant.</i> | Broomall, Thomas |
| Edwin C. Moore. | Bryan, William A. |
| <i>Sergeants.</i> | Bullock, Lewis |
| Lindsay L. Pierce. | Cavender, Isaac T. |
| Henry Cole. | Chamberlain, Jacob |
| Samuel L. Southard | Chadwick, Samuel |
| Joseph R. Phillips. | Cloud, Franklin |
| <i>Corporals.</i> | Cloud, Hiram H. |
| James A. Spencer. | Cloud, Samuel K. |
| Lewis T. Hurtze. | Cummins, Alexander |
| Ferdinand H. Sharp. | Deer, John |
| George Hodges | Downing, Henry W. |
| John Bratten. | Downing, John W. |
| Robert Baldwin | Fell, George |
| William H. Bangs. | Frist, Joseph I. |
| Joseph Rigby. | Garrett, Maurice |
| <i>Drummer.</i> | Gibbons, Lewis |
| Jacob Miller. | Green, John |
| <i>Privates.</i> | Harvey, Thomas |
| Anderson, James | Hawkins, Henry H. |
| Anderson, William H. | Hemphill, Edward C. |
| | Hemphill, Leslie C. |
| | Hershey, Solomon |
| | Holt, William |
| | Hudson, Charles |
| | Hughes, Patrick |

Huas, Wyman C.
Jordan, John H.
Kenedy, James
Kirk, John
Leak, Abraham
Lobb, John H.
Landy, Peter
Latch, Thornton
Lloyd, Isaac V.
Marshall, John
Mauser, Otto
McDowell, James
McEleer, Peter
McKay, John N.
McKenna, James M.
Meredith, William
Mokeo, George
Moody, Rasm G.
Moore, John
Moore, Lewis A.
Ogden, Edward
Patten, Alexander
Patterson, James D.
Pickering, Henry S.
Pickering, James A.
Pierce, Frederick
Pierce, John T.
Porter, James

Supplement.—Mustered out of service at Wilmington, Delaware, August 10, 1863.

Company F.

| | |
|---------------------------|----------------------|
| <i>Captain.</i> | Dennis, Benjamin |
| John R. Holt. | Dever, Gilbert |
| <i>First Lieutenant.</i> | Duff, Emmett |
| George C. Maria. | Evans, Henry |
| <i>Second Lieutenant.</i> | Foult, Sharpshley. |
| Joseph C. Jones. | France, James |
| <i>First Sergeant.</i> | Garrett, C. Alfred |
| Paris Mitchell. | Garrett, Ellis |
| <i>Sergeants.</i> | Gear, Charles M. d |
| Thomas Mitchell. | Gheen, John W. |
| George W. Wood. | Glatts, James |
| Joseph Mancill. | Glatts, John G. |
| Leonard C. Fuller. | Hall, William R. |
| <i>Corporals.</i> | Hicks, Augustus |
| John C. Rippenger. | Higgins, Mather |
| Joseph C. Spear. | Hilbert, Joseph |
| Robert Winthrop. | Hill, James H. |
| John Lincoln. | Householder, John M. |
| Hannum Pierce. | Hunt, Joseph |
| Henry P. Dixon. | Jacobs, James W. |
| William H. Riley. | Jones, Amrose N. |
| John T. Black. | Jones, Joseph C. |
| <i>Musicians.</i> | Kaiser, Lewis |
| William S. McCall. | Kirkpatrick, John |
| John G. Yates. | Lake, Washington C. |
| <i>Privates.</i> | Lang, John |
| Ashenback, August | Lee, Charles H. |
| Auback, Morris | Mahan, Jesse R. |
| Bache, William A. | McCabe, Charles E. |
| Beeson, Joseph | McCann, George C. |
| Benton, John D. | McClusky, James |
| Blackburn, Samuel I. | McCollough, George. |
| Blist, George W. | McDaniel, Albert |
| Brelsford, Henry H. | Meachlene, Gaylord. |
| Bullock, William S. | Miller, John |
| Campbell, John H. | Mitchell, David |
| Cardwell, Thomas | Mullen, John D. |
| Chairs, Ferdinand | Murne, Andrew |
| Chrisfield, John G. a | Ocheltree, Eugene |
| Combs, Philip | Patten, Joseph |
| Conly, Neal | Phelan, Francis |
| Connell, John P. | Pifer, William |
| | Price, James W. |
| | Russell, Jacob E. |
| | Scanlan, Florence |
| | Shaffer, Daniel |
| | Shull, Chambleas |

Company F, Fifth Regiment—Continued.

Springer, Levi S.
Sykes, Loftus
Tailey, William
Thompson, John L.
Tucker, Nathaniel
Vanderbraac, Lawrence
Walter, George H.

Wiek, Augustus
Wigglesworth, John H.
Wilkins, James H.
Williamson, David
Wilson, Joseph
Wilson, Thomas
Young, James

Supplement.—Mustered out of service at Wilmington, Del., August 10, 1863. One private died of disease and one private killed.

*Company G.**Captain.*

James Montgomery.

First Lieutenant.

R. Emmett Robinson.

Second Lieutenant.

John W. Sullivan.

First Sergeant.

William H. Wrighter.

Sergeants.

William T. Massey.
James Young.
George Roberts.
George Nebeker.

Corporals.

Samuel West.
Richard H. Ewbank.
David Coyle.
William Pierce.
Henry Fothergill.
Reese Pyle.
Samuel Searles.
Thomas Crossley.

Musician.

Horace V. Frist.

Privates.

Adams, Samuel
Allen, Charles W.
Allways, Charles
Bates, George
Birnie, James W.
Boyd, Thomas J.
Brear, Hiram
Brown, Edward L.
Bryer, Joseph
Bush, Frederick
Buzine, George
Cameron, Malcolm
Campbell, Robert
Cheers, James
Chumsides, John
Cloud, Ellis A.
Cochrane, Samuel
Cole, Christiana
Comfort, Ezra, Jr.
Cooper, William
Crosier, Archibald
Curtis, Edward W.
Davis, Samuel B.
Dennison, Robert

Dick, George T.
Downing, Thomas
Eccleston, Bayard
Everson, Joseph
Fife, Lee
Fletcher, James
Foreman, Peter B.
Fothergill, William
Frist, Henry
Fulmer, Joseph
Gooding, John L.
Gregg, Isaac D.
Gregg, Rufus
Griffith, John W.
Grimson, Elwood
Groves, John
Grubb, James, Jr.
Haines, William
Hastings, Washington
Haughey, Hugh
Hawkins, Daniel T.
Hirst, Edwin
Ingram, George
Jeffries, Parker.
Jawa, Benjamin F.
Logan, Samuel G.
Magill, Stephen
Marr, John B.
McCartney, Michael
McKaig, Isaac H.
McMullica, Lewis
Morrow, Humphrey
Murphy, J. T.
Nebeker, Samuel
Ogle, Benjamin
Petit de Mange, Joseph
Ramo, John
Reece, William
Reynolds, William M.
Riley, James
Russell, John
Saville, James E.
Searles, Thomas S.
Seeds, William
Smith, Allen
Sneath, George R.
Stroud, Edward
Thompson, George
Turner, William
Watson, Jesse A.
Wiercraft, James
Williams, John
Windle, Allen
Witercraft, David
Witsel, Jarrett M.

Supplement.—Mustered out of service at Wilmington, Del., August 10, 1863.

*Company H.**Captain.*

James B. Henry.

First Lieutenant.

Clement Reeves.

Second Lieutenant.

John L. Billany.

First Sergeant.

John B. Wingate.

Sergeants.

Darrack Cleaver.
John H. Davidson.

Charles W. Jefferson.
Joseph E. Scott.

Corporals.

James Craig.
George B. Huchison.
Francis D. Merchant.
Theodore F. McMunn.
George W. Hudson.
Edgar Price.
William Hukill.
James Calvin.

Musicians.

Thomas C. Ware.
John C. Craig.

Privates.

Anderson, Reuben
Bacon, Edward S.
Barnes, Leander, Jr.
Bennett, John R.
Bennett, William H.
Best, John, Jr.
Biddle, Alexander
Bowen, James, Jr.
Castelow, Thomas E.
Carnahan, Joseph
Clark, Edward
Clark, George A.
Cleam, Isaac, Jr.
Cleaver, Isaac S.
Cleaver, William
Cleaver, William E.
Coward, John M.
Eaton, Casper
Eaton, Thomas
English, Charles
Finley, William F.
Fleming, William B.
Grey, Caleb
Goodman, Theophilus
Gulbison, John
Gulbison, William
Hall, Francis
Hall, George M.
Hall, Samuel a

Higgins, Pennel C.
Holmes, Israel
Householder, William P.
Howell, William
Huston, Robert
Jackson, William
Jamison, William R.
Jester, James N.
Johnson, George W.
Johnston, Isaac E.
Jones, Miller D.
Lester, Edward
Lester, Henry, Jr.
Lockerman, John
Lockerman, William
McGifford, Thomas
McMullin, James
Miller, William
Nelson, John
Newkirk, Tilman
Newkirk, William A.
Patterson, John E.
Patterson, John W.
Peterson, J. M.
Pordham, James
Powell, George H.
Poynce, James M.
Price, Francis
Price, Henry
Price, Thomas, Jr.
Price, William A.
Robinson, Charles
Rue, George H.
Shuster, George F.
Smith, Danham
Ubill, Isaac H.
Walker, Isaac P.
Webb, Osmond
White, John
Willie, John
Willie, William
Wilson, Robert
Woods, William
Zackius, John
Zebley, Edmond.

Supplement.—Mustered out of service at Wilmington, Del., August 6, 1863. One private killed.

*Company I.**Captain.*

Samuel Pennington.

First Lieutenant.

Horatio G. Lloyd.

Second Lieutenant.

Richard T. Lockwood.

First Sergeant.

Thomas E. Hurn.

Sergeants.

Alfred J. Cox.
John W. Makins.
Charles M. Stranger.
John Anderson.

Corporals.

Charles E. Clayton.
James M. Cox.
Franklin Taylor.
James A. Benneron.
William E. Beck.
A. S. Naudain.
J. W. Johnson.
William J. Keys.

Drummer.

George W. Price.

Fifer.

Franklin J. Pennington.

Privates.

Atwell, William W.
Baldwin, Charles
Bedwell, William H.
Cavander, Wilson
Clayton Joshua
Collins, George D.
Curry, Benjamin T.
Davis, Edward B.
Deal, Hiram
Dehl, William B.
Derriekson, George, Jr.
Dunning, Daniel L.
Floyd, Samuel
Foster, Jacob
Gary, Joseph
Goldsborough, John
Hanson, Peter
Hawke, Fredoline
Heimbolt, Frederick
Herrick, Alfred
Hill, Samuel H.
Hudson, Alfred L.
Jones, John A.
Jones, Sewell

Company I, Fifth Regiment—Continued.

| | |
|-------------------------|----------------------|
| Jones, William B. | Prichard, John W. |
| Kane, Charles W. | Rifle, Jacob |
| Kilpatrick, John H. | Riley, Henry G. |
| Knighten, Richard E. | Riley, Phillip D. |
| Leatherbury, William S. | Roberts, Samuel W. |
| Lee, Lemuel B. | Robert, William N. |
| Lee, William J. | Rothwell, John M. |
| Lenby, Franklin | Rothwell, James P. |
| Lingo, William J. H. | Rothwell, Thomas H. |
| Long, George W. | Rudolph, Richard |
| Lore, William | Shepherd, William |
| Lyle, Franklin | Simmons, Nathan |
| Maxwell, John | Simmons, William |
| McCallister, William H. | Sourbeer, Jacob |
| McKee, Robert B. | Streets, John H. |
| Money, Henry C. | Tatman, Charles, Jr. |
| Mullen, James | Thompson, Clark |
| Naudain, C. B. | Welsh, Thomas |
| Naudain, George W. | Whitman, Charles |
| ~ Parker, William | Wilson, John L. |
| ~ Parker, William C. | Wilson, Isaac T. |
| Peters, John | Wilson, William N. |
| Pennington, Albert R. | Wilson, William W. |
| Peters, H. | Woodfield, Joseph |
| Peters, William d | Woods, George P. F. |
| ~ Price, Edward J. | Woods, John F. |
| ~ Price, John | |

Supplement.—Mustered out of service at Wilmington, Del., August 6, 1863. One private died of disease.

Company K.

| | |
|---------------------------|-------------------------|
| <i>Captain.</i> | Fleming, Alexander |
| George W. Naudain. | Foster, Caleb C. |
| <i>First Lieutenant.</i> | Gord, George H. |
| Charles F. Griffenburg. | Griffenburg, William S. |
| <i>Second Lieutenant.</i> | Hukill, Gideon E. |
| William A. Rhodes. | Hukill, William A. |
| <i>First Sergeant.</i> | Humple, Michael |
| Elias N. Moore. | Hyatt, Francis A. |
| <i>Sergeants.</i> | Jauvier, John, Jr. |
| William H. Walker. | Karsner, George W. |
| Joseph A. Rhodes. | Lattomas, James |
| George Kumble. | Long, Richard N. |
| Thomas T. Enos. | Mellvane, Benjamin. |
| <i>Corporals.</i> | Moffit, Levi |
| Leonard V. Aspril. | Money, William |
| Israel F. Croft. | Moore, George W. |
| Samuel T. Gilbert. | Murphy, John |
| Joseph H. Enos. | Norny, Ellwood R. |
| Mark D. Hickman. | Osmond, James |
| James K. Onel. | Perry, Francis T. |
| William Rhein. | Randolph, Aaron |
| William T. Rickards. | Randolph, George |
| <i>Privates.</i> | Randolph, Samuel d |
| Appleton, John | Rickorde, James H. |
| Baker, Henry P. | Riley, Thomas |
| Baker, William H. | Rose, Turpin W. |
| Bigger, Charles W. | Sheldon, Mark |
| Borden, John E. | Sileox, James |
| Bratton, Charles M. | Smith, Charles E. |
| Bratton, John T. | Snodell, Robert |
| Cleaver, William S. | Stevens, Edmund |
| Clendaniel, George | Stidham, James |
| Clothier, Freeing A. | Stidham, Lewis W. |
| Cook, George W. | Stradley, Thomas |
| Croft, Edward | Straub, Henry |
| Doughten, Mordecai | Straub, Henry R. |
| Dyer, William | Tatman, Charles |
| Eaton, Thomas C. | Tinley, Stringer S. |
| Eccler, John V. | Tyson, Jacob M. |
| Eichenhoffer, John G. | Vandergrift, Leonard K. |
| Enos, Samuel M. | Vandergrift, William M. |
| | Vandergrift, Wilson E. |
| | Wards, Samuel |
| | Warner, Isaac |
| | Warner, Robert M. |

Watson, Marshall
Webb, Charles
Wiley, John

Williams, John K.
Wyatt, Peter H. T.
Zenos, Thomas T.

Supplement.—Mustered out of service at Wilmington, Del., August 6, 1863. One private died of disease.

*SIXTH REGT. DELAWARE INFANTRY VOLUNTEERS.**Field and Staff Officers.*

| | |
|----------------------------|----------------------------|
| <i>Colonel.</i> | <i>Quartermaster.</i> |
| Edwin Wilmer. | Robert H. Cummins. |
| <i>Lieutenant-Colonel.</i> | <i>Surgeon.</i> |
| Jacob Moore. | William Marshal. |
| <i>Major.</i> | <i>Assistant Surgeons.</i> |
| Thomas J. Thurlow. | William T. Collens. |
| <i>Adjutant.</i> | Walter Melvin. |
| David J. Murphy. | |

Supplement.—Mustered out of service at Smyrna, Del., August 22, 1863.

Non-commissioned Staff Officers.

| | |
|---------------------------------|------------------------------|
| <i>Sergeant-Majors.</i> | <i>Commissary-Sergeants.</i> |
| Robert D. Hoffecker. | Joshua R. Clements. |
| <i>Quartermaster-Sergeants.</i> | <i>Hospital Stewards.</i> |
| Isaac D. Hamilton. | Thomas B. Sipple. |

Supplement.—Mustered out August 22, 1863, at Smyrna, Del.

Company A.

| | |
|---------------------------|------------------------|
| <i>Captain.</i> | Cook, Robert I. |
| Joseph V. Hoffecker. | Dawson, Thomas G. |
| <i>First Lieutenant.</i> | Deakne, Joseph B. |
| Joseph D. Evans. | Denney, William, Jr. |
| <i>Second Lieutenant.</i> | Dickson, Jacob P. |
| Richard M. Cooper. | Farris, Alexander, Jr. |
| <i>First Sergeant.</i> | Faulkner, William H. |
| Thomas O. Ayers. | Finnemore, Lewis |
| <i>Sergeants.</i> | Garrison, Ebenezer |
| George W. Collins. | Garrison, Jediah |
| James H. Cotton. | Gordon, Charles |
| David L. Denny. | Griffin, I. R. |
| Cornelius W. Coffin. | Hackett, Henry |
| <i>Corporals.</i> | Hamilton, Isaac D. |
| Charles H. Messick. | Hamilton, Jacob |
| Benjamin Truax. | Hattman, Christopher |
| William Nailor. | Hoffecker, Albert F. |
| Thomas Finnemore. | Hoffecker, Joseph H. |
| William I. Jones. | Hoffecker, R. D. |
| Daniel G. Stevenson. | Jarvis, Thomas |
| Edward C. Farris. | Jenkins, John L. |
| George L. Deagant. | ~ Johnson, W. T. |
| <i>Drummer.</i> | Jones, Ennis J. |
| Robert Frieston. | Kilpatrick, John |
| <i>Privates.</i> | Lovegrove, James W. |
| Attee, Barlow | Mannering, John |
| Attee, James D. | McDowell, Thomas |
| Bell, Lewis M. | McFarlan, William R. |
| Bennett, Jacob C. | Megian, Thomas B. |
| Bennett, Samuel | Morrison, Thomas |
| Boyer, Robert Mc. | Nelson, William W. |
| ~ Brown Joshua M. | Palmatory, Daniel |
| Cahoon, William | Palmatory, T. C. |
| Cahoon, William R., Jr. | Palmatory, William |
| Calhoon, W. R. | Parsons, Henry R. |
| Cathcart, John H. | Preston, Thomas F. |
| Catts, Samuel | ~ Price, William I. |
| Clark, Charles E. | Rash, Jasper W. |
| Cole, Theodore | Rash, Presley |
| Collins, John M. | ~ Sanders, Rufus |
| Cooper, John B. | Shuck, George W. |
| | Simpson, Benjamin O. |
| | Simpson, George C. |
| | Smithers, Alfred |
| | Smithers, William H. |
| | Smithers, William P. |
| | Snow, I. P. |

Company A, Sixth Regiment—Continued.

Spruance, Alexander P.
 Spruance, Enoch
 Spruance, Henry C.
 Staats, James R.
 Staats, Samuel J.
 Surgeon, William
 Sutton, Isaac P.
 Sutton, John L.
 Truax, John

Truax, John S.
 Turner, Benjamin
 Vandergrift, Jacob H.
 Vane, Joshua S.
 Voss, James D.
 Warden, Asa P.
 White, Isaac H.
 Wright, William P.
 Wyatt, Reuben

Supplement.—Mustered out of service at Smyrna, Del., August 22, 1863.

Company B.

Captain.
 Daniel J. Leighton.

First Lieutenant.
 Thomas H. Fooks.

Second Lieutenant.
 Rowland B. Day.

First Sergeant.
 William J. Jefferson.

Sergeants.
 Luther M. R. Pepper.
 Edward G. Pepper.
 James Steel.
 John E. Walls.

Corporals.
 Samuel R. Walls.
 David W. Warrington.
 Nathan C. Messick.
 Robert P. Barr.
 Samuel M. Vaughan.
 John Swain.
 Thomas B. Sipple.
 Leon B. Pepper.

Privates.
 Akley, John
 Barr, David W.
 Bennam, George W.
 Bennam, Henry O.
 Blizzard, Joshua M.
 Blizzard, Stephen
 Brian, Joshua H.
 Butler, George
 Cannon, John C.
 Carey, John P.
 Conaway, Jesse P.
 Conaway, John T.
 Conaway, James C.
 Dodd, Peter P.
 Donnohoe, Peter W.
 Donnohoe, Robert E.
 Elligood, William
 Gibbons, Train
 Hastings, Solomon T.
 Hepburn, Henry F.
 Huffington, James
 Huffington, William
 Hurley, Robert W.
 Johnson, Albert T.
 Joseph, Levin D.
 Joseph, Peter P.
 Joseph, Silas J.
 King, Wingate
 Lynch, James W.

Magee, William S.
 McColley, Daniel H.
 McColley, Peter P. d
 McDowell, Benjamin R.
 Messick, Barton
 Messick, Charles M.
 Messick, Clayton H.
 Messick, James P.
 Messick, Philip S.
 Messick, Sewell H.
 Moore, Jacob
 Pepper, Alfred P.
 Prettyman, Cornelius
 Pride, Robert D.
 Prettyman, Shepherd
 Pride, James H.
 Rodgers, George F.
 Rodgers, George W.
 Rodgers, Harrison
 Rodgers, James E.
 Rodgers, John T.
 Rodgers, John M.
 Rodgers, Nathan I.
 Rodney, John F.
 Rogers, Stephen H. d
 Rust, George F.
 Salmons, George D.
 Salmons, John W.
 Salmons, Short
 Scott, Curtis D.
 Scott, Thomas
 Short, John C.
 Smith, George M.
 Smith, Isaac D.
 Smith, Prettyman D.
 Smith, William C.
 Swain, Alfred
 Swain, David B.
 Swain, John
 Tindal, Isaac N.
 Tucker, Job D.
 Vincent, Short W. d
 Wall, George
 Wall, Gideon
 Wall, Gitley S.
 Wall, John C.
 Wall, John, Sr.
 Walls, Stephen A.
 West, George W.
 West, Hewitt W.
 West, Joseph H.
 West, Stockley
 West, Thomas P.
 West, William I.
 Windsor, Phillip
 Workman, Joshua

Supplement.—Mustered out of service at Wilmington, Del., August 23, 1863. Three privates died of disease.

Company C.

Captain.
 William T. Warrington.

First Lieutenants.
 Thomas R. Burton.
 William C. Burton.

Second Lieutenant.
 Theodore H. Burton.

First Sergeant.
 Edwin C. Burton.

Sergeants.

Benjamin M. Balla.
 Charles H. Burton.
 James B. Coffin.
 Joshua S. Morris.

Corporals.

William H. Hurdle.
 Alfred L. Burton.
 Robert C. Hazard.
 Joseph S. Wales.
 Charles A. Rust.
 Harry R. Johnson.
 Robert T. Lossen.
 George A. Baumm.

Privates.

Blizzard, Gideon W.
 Burton, Edward
 Burton, Henry H.
 Burton, Nathaniel W.
 Burton, Peter W.
 Burton, William H.
 Coffin, D. H.
 Coffin, Echa J.
 Coffin, Nemiah
 Collins, James H.
 Collins, Thomas P.
 Copse, Joseph
 Craig, James B.
 Davidson, James H.
 Davidson, Nathan W.
 Dodd, William E.
 Dossy, George W.
 Fooks, Edwin H.
 Goslee, Salathiel B.
 Hart, Arthur J.
 Hart, Joseph A.
 Hazard, Daniel Y.
 Hazard, Robert B.
 Hooba, Isaac
 Hopkins, George R.
 Hopkins, Joseph H.
 Hopkins, William
 Hunter, Joseph.
 Huntington, Benjamin.
 Hurdle, Jacob F.
 Hurdle, Joseph C.
 Johnson, John S.
 Joseph, David
 Joseph, Elisha.

Supplement.—Mustered out of service at Wilmington, Delaware, August 23, 1863.

Company D.

Captain.
 Samuel W. Lacey.

First Lieutenant.
 Edward H. Tubbs.

Second Lieutenant.
 John Willigus.
 William Howard.

First Sergeant.
 James L. Willigus.

Sergeants.
 Henry H. Watson.
 Edward J. Furnas.
 Joshua J. Lynch.
 Ezekiel L. West.

Corporals.
 John A. Evans.
 Henry J. Williams.
 William Lynch.
 William H. Grey.
 Edward J. Lynch.

Joseph, Jesse E.
 Joseph, Nehemiah
 Joseph, Thomas H.
 Joseph, Zachariah S.
 King, William
 Lingo, Alfred B.
 Lingo, George G.
 Lingo, Henry L.
 Lingo, John L.
 Lingo, P. F.
 Lingo, William
 Lossen, George W.
 Lossen, James L.
 Lossen, James W.
 Lossen, Jen
 Lossen, Silba
 Lossen, Vandack J.
 Lynch, John
 Lynch, Peter
 Lynch, William
 Magee, John W.
 Marsh, James P. W.
 Marvel, William C.
 Masey, Joshua
 Melary, Edward
 Norris, William L.
 Palmer, Edward
 Palmer, Samuel P.
 Palmer, Wolsy B.
 Polite, William
 Pride, George R.
 Pride, James
 Rust, Absalom
 Rust, Thomas B.
 Simple, Isaac
 Sovy, Theodore
 Thurgood, James F.
 Thurgood, Simon W.
 Vaden, Benjamin F.
 Walls, James H.
 Walls, Jonathan W.
 Walls, Peter S.
 Warrington, Edward
 Warrington, Kendall J.
 Warrington, Silas Y.
 Warrington, William F.
 Wilson, Charles W.
 Wilson, Daniel B.
 Wilson, Edward J.
 Wilson, Major H.

Company D, Sixth Regiment—Continued.

| | |
|------------------------|----------------------|
| Cropper, William J. | Lekites, Samuel B. |
| Derickson, Benjamin B. | Lockwood, John H. |
| Derickson, Ezekiel W. | Lynch, Aaron |
| Derickson, George T. | Lynch, Alfred |
| Derickson, Joseph M. | Lynch, Burton W. |
| Derickson, Lewin | Lynch, Caleb |
| Derickson, Stephen | Lynch, Caleb M. |
| Derickson, William | Lynch, Caleb W. |
| Dingle, Erasmas D. | Lynch, David |
| Evans, Burton R. | Lynch, Jacob E. |
| Evans, Joshua J. | Lynch, James H. |
| Evans, Lemuel H. | Lynch, John B. |
| Evans, William H. H. | Lynch, Joseph B. |
| Evans, Edgar L. d | Lynch, Joseph I. |
| Grey, Benjamin | Lynch, Lemuel |
| Grey, Michael H. | Lynch, Levi B. |
| Hickman, James A. | Magee, John W. |
| Hickman, Selby | Mecabe, Joseph |
| Holaway, Aaron | Murry, Ananias |
| Holloway, William H. | Murry, Joseph G. |
| Howard, John B. | Rickards, Charles |
| Hudson, Charles | Rickards, Hiram |
| Hudson, Charles H. | Rickards, Joseph |
| Hudson, David C. | Rickards, Robert |
| Hudson, George T. | Rickards, William C. |
| Hudson, Isaac S. | Rickards, William H. |
| Hudson, Isaiah S. | Rogers, Ananias |
| Hudson, Jeremiah. | Taylor, Joshua J. |
| Hudson, John H. | Taylor, Thomas |
| Hudson, Levin | Trent, James J. |
| Hudson, Simpson | Tubbs, Samuel R. |
| Jones, Levin J. | Willgus, Ephraim H. |

Supplement.—Mustered out of service at Wilmington, Delaware, August 23, 1863.

Company E.

| | |
|---------------------------|------------------------|
| <i>Captains.</i> | Campbell, Ashall D. |
| David J. Murphy. | Carrow, William J. |
| W. W. Tachudy. | Collins, George D. |
| <i>First Lieutenant.</i> | Cook, Robert J. |
| John Causden. | Coverdale, I. P. |
| <i>Second Lieutenant.</i> | Cramer, Henry D. |
| John Humphreys. | Crossley, James |
| <i>First Sergeant.</i> | Crossley, Risdon L. |
| William S. Green. | Davis, Robert |
| <i>Sergeants.</i> | Denney, George |
| David Stevenson. | Emerson, William |
| Robert Scott. | Evans, Thomas H. |
| Joseph Evans. | George, John H. |
| Joseph Foreacres. | Gunning, George H. |
| <i>Corporals.</i> | Hales, John |
| Charles Leatherbury. | Hall, James H. |
| Samuel S. Griffin. | Henderson, Charles H. |
| George F. Rash. | Hoffecker, James P. |
| William H. Abel. | Johnson, Howard |
| William Meredith. | Jones, Daniel |
| John F. Rash. | Jones, Jeremiah |
| John M. Sparks. | Jones, Richard |
| George F. Hargis. | Kirkpatrick, John |
| <i>Musicians.</i> | Londerbough, Andrew |
| Charles Catto. | Londerbough, Edward B. |
| Edward Grower. | Lurty, Ebenezer, Jr. |
| <i>Privates.</i> | Maililleu, James |
| Allen, Jacob R. | Mapes, Joseph K. C. |
| Baggs, William H. | McAfee, William |
| Batten, Joseph S. | McDowell, James |
| Baynard, William H. | Merrel, McHall Halsted |
| Benson, Joseph H. | Mitchell, William F. |
| Breck, James | Moore, James |
| Burris, Samuel | Moore, Robert J. |
| Cahill, Philip | Morrow, Sewell B. |
| | Mount, Berrien |
| | Mount, Samuel |
| | Norris, John |
| | Norris, Robert |
| | Pleasanton, Henry |
| | Pratt, Henry S. |

| | |
|------------------------|----------------------|
| Pratt, John W. | Spencer, Samuel E. |
| Pratt, Thomas | Spruance, Henry C. |
| Primrose, Joseph H. | Stedham, Daniel |
| Ransom, Alfred K. | Thompson, James A. |
| Ransom, Sumner W. | Tucker, John |
| Reynolds, Samuel J. | Turner, Daniel |
| Reynolds, William P. | Walraven, Joseph |
| Richardson, Charles H. | Williams, William M. |
| Ritchie, James H. | Williams, C. Westley |
| Ritchie, John B. | Wilkinson, John |
| Robb, Amos | Williams, John H. |
| Shields, William | Williamson, John R. |
| Simpson, James A. | Windal, Jonas |
| Simpson, John H. | Wright, Ebenezer |
| Simpson, Mitchell | Wright, John M. |
| Smith, Joseph S. | Wyatt, Reuben |
| Snyder, Peter | |

Supplement.—Mustered out of service at Smyrna, Del., August 22, 1863.

Company F.

| | |
|---------------------------|-----------------------|
| <i>Captain.</i> | Dulin, Charles H. |
| James P. Snow. | Dunlap, Hugh |
| <i>First Lieutenant.</i> | Evans, Abel |
| Thomas S. Harper. | Finimore, Lewis |
| <i>Second Lieutenant.</i> | Finimore, Thomas |
| John S. Hoffecker. | Forkum, H. Clay |
| <i>First Sergeant.</i> | Fowler, Robert S. |
| Orlando M. Putnam. | Fowler, William |
| <i>Sergeants.</i> | George, James H. |
| David W. Spencer. | Gracesley, William H. |
| John R. Griffin. | Hall, James |
| Jacob S. Maclary. | Hall, James H. |
| John W. Smith. | Harper, Charles F. |
| <i>Corporals.</i> | Harper, Warren |
| Henry W. Cannon. | Hazel, William |
| William Woodkeeper. | Jefferson, Samuel E. |
| Asa S. Johnson. | Jorden, Charles T. |
| Samuel J. Fowler. | Jorden, William M. |
| Henry H. Moore. | Kelley, John B. |
| Avery A. Dodd. | Lank, William J. |
| Isaac Truax. | Maclary, Charles F. |
| Manlove H. Palmatory. | Marshall, Samuel |
| <i>Drummer.</i> | Moore, Joseph S. |
| Charles R. Risdon. | Morris, William |
| <i>Privates.</i> | Muncey, Jonathan |
| Adams, William | Murphey, Andrew |
| Allee, Barlow | Nowell, James S. |
| Barris, John | Palmatory, Timothy C. |
| Battelle, Thomas M. | Pleasanton, Alexander |
| Bishop, John H. | Rickards, Jonathan |
| Boggs, James D. | Rickards, Moulton |
| Bowen, Zadoc M. | Saxton, Samuel |
| Bradley, Joseph S. | Shipley, Richard P. |
| Brown, Joshua M. | Shipley, William |
| Buckson, Jervis B. | Short, John |
| Buckson, John | Smith, James S. |
| Carrow, Joseph d | Snow, Joseph, Jr. |
| Carrow, Thomas J. | Spencer, Leonard |
| Carrow, William F. | Spencer, William |
| Collins, John R. | Tibbitts, Richard |
| Coverdale, Hiram | Tucker, James |
| Crossley, Risdon L. | Tucker, John H. |
| Daniels, Clinton W. | Vandergrift, Jacob H. |
| Deakayne, Joseph B. | Vane, James H. |
| Dileahay, Benjamin B. | Vane, Jesse S. |
| | Voshell, Levi |
| | Wedell, John |
| | Wheeler, Robert |
| | Wilson, Lewis |
| | Wrench, Washington P |

Supplement.—Mustered out of service at Smyrna, Delaware, August 22, 1863. One private died of disease.

Company G.

| | |
|--------------------------|---------------------------|
| <i>Captain.</i> | <i>Second Lieutenant.</i> |
| John Downham. | Aaron Powell. |
| <i>First Lieutenant.</i> | <i>First Sergeant.</i> |
| Nicholas H. Vincent. | John S. Furnell. |

*Company G, Sixth Regiment—Continued.**Sergeants.*

Isaac Lofland.
John S. Green.
John W. Clark.
William Smith.

Corporals.

James C. Moore.
Edward D. Cowgill.
Levi H. Vincent.
John Mountieure.
John R. Green.
William N. Johns.
Thomas H. George.
Thomas Herington.

Privates.

Bedwill, William
Carter, John C.
Caulk, John
Clark, Henry H.
Clark, Joel
Clark, Joseph D.
Clark, Nathan
Clark, Thomas E.
Clements, Joseph R.
Conner, Samuel
Cook, James
Cook, James
Coursey, Jackson
Cowgill, Ezekiel
Cox, Mathew
Daniel, George
Duhadaway, William P.
Finley, Jacob S.
Finley, John
Foreakres, Noble
George, Joseph
Gough, Thomas H.
Green, James
Haines, Edwin
Hallowell, George W.
Harris, John W.
Harris, William H.

Hewes, Robert M.
Hinkle, George T.
Hinsley, John P.
Hinsley, Matthew
Hubbard, Edward
Huchins, Nathan
Jarmen, George
Johnson, Henry
Johnson, William H.
Jolnes, James
Jones, James L.
Jones, James Q.
Kersey, William
Maloney, James W.
Milby, Jackson
Miller, Stephen
Moore, John C.
Moore, William
Morris, Beauchamp
Mountieure, George
Nickerson, Gabriel
Nickerson, John
Pearson, Isaac H.

Price, James I.
Rash, Joseph
Rawley, William B.
Richardson, Joseph
Rusaum, John W.
Seward, George
Seward, John
Seward, Thomas
Sewend, James H.
Stradley, Adelbert
Stradley, Benjamin
Steel, Edward
Thomas, Isaac
Thomas, John W.
Thomas, John A.
Truatt, John K.
Voshell, James B.
Wear, John T.
Williams, William J.
Wright, James H.

Supplement.—Mustered out of service at Wilmington, Del., August 23, 1863.

*Company H.**Captain.*

Philemon C. Carter.

First Lieutenant.

Alexander Simpson.

Second Lieutenants.

John W. Smith.
Walter Melvin.

First Sergeant.

William F. Cooper.

Sergeants.

J. H. Wooten.
Andrew Dill.
John O. Callaway.
John H. Lewis.

Corporals.

Peter Callaway, of Peter.
Garrett Voshell.
George J. Dempsey.
John Lane.
Charles H. Meredith.
James H. Callaway.
Elias Sapp.
Samuel A. Thorp.

Privates.

Adkins, John W.
Anderson, Beniah T.

Anderson, David P.
Anderson, John C.
Atkins, R. H.
Betts, Wingate.
Booth, John W.
Bower, Levi
Cain, Caleb
Cain, Daniel.
Cain, George W.
Callaway, Eli
Callaway, Isaac H., of John
Callaway, Jonathan
Callaway, John H., of John
Callaway, Peter, of John
Callaway, Wm. H., of John
Carter, Henry C.
Carter, John T.
Climmer, John
Cordey, Charles
Cooper, John A. (drowned)
Cooper, Ezekiel A.
Dempsey, John C.
Dill, Peter
Dill, William H.
Draper, Benjamin
Draper, Daniel
Draper, John L.
Draper, Thomas J.
Edgell, William
Edgell, William H.

Green, John
Greenlee, William E.
Godwin, George
Harrington, Peter D.
Hopkins, Henry
Hopkins, Waitman
Hopkins, William.
Hurd, James
Jervis, George
Jones, James H.
Jones, Joshua B.
Knot, William H.
McCrea, William T.
McNatt, James
McNatt, Nathan
Melvin, Isaac J.
Melvin, James I.
Melvin, Hinson
Melvin, Retley
Melvin, Sydenham
Obier, Hinson
Roughley, James
Roughley, John W.

Rickards, John W.
Rickards, Charles
Ridden, John O.
Sapp, Curtis
Scott, Samuel
Smith, George F.
Smith, William H.
Simpson, Ezekiel H.
Simpson, James T.
Simpson, Richard J.
Simpson, William P.
Spencer, Richard B.
Taylor, W. H.
Thomas, R. H.
Traverse, John
Voshell, William
Werter, Eli, Jr.
Windell, William
Williams, James
Wilson, Edward
Wroter, James H.
Wroter, Charles W.

Supplement.—Mustered out of service at Wilmington, Delaware, August 23, 1863.

*Company I.**Captain.*

Charles Heydrick.

First Lieutenant.

Asa Dawson.

Second Lieutenant.

Jonathan H. Millan.

First Sergeant.

John E. Sudler.

Sergeants.

Isaac K. Wright.
Isaac P. Willey.
John E. Richards.
Robert L. Brown.

Corporals.

John W. Fisher.
Leonard Hatfield.
John K. Kinder.
Samuel H. Nelson.
Charles Richards.
William C. Neall.
Theophilus Swain.
George D. Speer.

Privates.

Andrew, Charles
Arthbridge, Thomas H.
Cahall, Lawrence M.
Cannon, William H.
Carlisle, William E.
Carlin, Amos K.
Carlisle, Samuel
Carroll, William S.
Cleston, William
Cole, Hugh
Collison, William E.
Conaway, Henry I.
Day, John R.
Day, William E. O.
Ellingsworth, David
Ellingsworth, William S.
Fish, Robert
Harvey, John S.
Hastings, Harvey P.
Hastings, Joseph
Hastings, Kendall

Hastings, Robert
Hazard, Silas B.
Hitch, Daniel
Holtis, Henry C.
Hurst, Samuel W.
Jacobs, Curtis M.
Jester, William
Joseph, George W.
Lanimore, George
Lednum, William
Lord, Henry H.
Lord, Luther
Maulove, John M.
Marine, John W. a
Morgan, Samuel J.
O'Day, Solomon.
Parker, George
Passwaler, James E.
Passwaler, Wingate
Needham, William N.
Richard, John K.
Robertson, William C.
Roughley, Samuel P.
Short, James H.
Smith, John B.
Smith, John Henry
Smith, William H.
Spencer, Henry D.
Swain, Gilley K.
Swain, Robert P.
Swain, Uriah I.
Todd, Daniel
Todd, David
Todd, Jacob
Todd, John
Todd, Thomas
Todd, William H.
Tumbleson, Thomas
Victor, John W.
Wadking, Joseph D.
Wadkins, Thomas
Ward, Joseph W.
Watson, Joseph
Willey, James H.
Wiley, Richard F.
Williams, William
Wright, William
Wright, William

Supplement.—Mustered out of service at Smyrna, Del., September 3, 1863. One private killed.

*Company K.**Captain.*

Elijah Adkins.

First Lieutenant.

John T. Matthews.

Second Lieutenant.

Joseph G. White.

First Sergeant.

James Betts.

Sergeants.

Thomas A. Wilson.

Jesse T. Wells.

William P. Carey.

John W. Wright.

Corporals.

Benjamin B. Warrington.

Benjamin H. Elliott.

James Feaskey.

Cyrus W. Connen.

George W. Casey.

Stanley C. Matthews.

Jacob W. Briant.

James L. Collins.

Privates.

Ake, John S.

Baker, James B.

Baker, Seth W.

Banden, John

Betts, Charles R.

Betts, Jonathan P.

Betts, Joseph B.

Betts, Miers B.

Belson, Thomas J. S.

Bouden, James P.

Brittanham, Hiram B.

Brittanham, Kendall P.

Campbell, Charles H.

Cannon, George W. d

Casey, Robert B.

Casey, William H.

Colect, Dennis

Collins, Ebenezer.

Collins, Elias T.

Collins, John

Collins, Lamberson

Collins, William

Davis, John W.

Davis, William

Donaway, William P.

Evans, Isaac H.

Evans, James R.

Faskey, Daniel M.

Faskey, Mimos

Goodwin, Benjamin d

Gray, Hiram B.

Gray, Leben

Hitchens, Joseph

Hitchens, Peter

King, William C.

Lewis, Charles B.

Lewis, John W.

Littleton, Handy J.

Lowe, James W.

Lowe, Samuel J.

McFadden, James P.

Mitchell, Samuel

Nichols, Elijah A.

- Parker, Joseph

Parsons, John W.

Phillips, Benjamin B.

Phillips, Gardner W.

Phillips, James

Phillips, John W.

Phillips, Joshua

Phillips, Nathaniel H.

Phillips, Spencer A.

Pusey, Edward C.

Pusey, James R.

Pusey, Matthew T.

Savage, John T.

Shast, Urias.

Smith, Sampson B.

Tashert, John W.

Truitt, Elisha G.

Truitt, Greenbury M.

Vincent, John W.

Warden, William B.

West, Abel W.

West, Handy

West, Isaac P.

West, Isaac W.

White, William B.

West, William H.

Workman, James P.

Workman, William L.

Wooten, John T.

William Thorpe.

Joseph Woodfield.

Barriers.

James H. Peterson.

Isaac Smith.

James A. Warner.

Saddlers.

- John R. Brown.

Taylor M. Woods.

Wagoners.

James R. Mitchell.

John W. Pierson.

Privates.

Baker, Jackson

Baker, Samuel

Baker, William

Baldwin, William H.

- Barker, David H.

Bendler, Albert.

Bierman, John C.

Boggs, Columbus H.

Boggs, James H.

- Brown, Elisha P.

Brosius, Paxson

Burtell, Napoleon

Butler, John B.

Camac, John H.

Cann, James A.

Cann, Joseph

Carlin, Philip

Carpenter, George A.

Carvin, Francis

Clark, Charles E.

Clark, John

Classaby, James

Coffin, Robert

Coleman, John D.

Collins, Henry A.

Coward, John M.

Cox, Brinton

Cox, John

Carrow, Masculine

Croatin, Charles

Crosley, James

Crosby, Robert

Davis, Charles W.

Dawson, Henry C.

Deakyno, James H.

Dempsey, Theodore

Dill, Benjamin F.

Draar, Nicholas

Dunn, Nicholas

Eandas, Thomas

Fairgraves, John C.

Figgs, Jonathan A.

Filar, Henry

Finley, John G.

Foreacre, James B.

Frederick, Peter

Gallagher, Andrew

Glover, William H.

Godwin, James S.

Goldsmith, Edward P.

Golt, Samuel E.

Goodwin, William

Graham, William H.

Haley, Edward H.

Hanby, William H.

Hancock, John

Harrington, Alexander

Hayes, James W.

Hazen, Daniel

Hill, James

Holland, James

Hooren, Thomas J.

Jester, George

Jones, Miller

Lightcap, Robert

Martin, John

Mason, Edward

Mason, James P.

McCray, Thomas

McLain, William

McMonagle, John

McNanley, James

Miller, Richard

Minchall, Thomas

Moore, Joseph

Morris, Elijah B.

Morris, William

Morton, George C.

Murphy, John

Murt, Robert

Myers, Henry

O'Rourke, Timothy

Parvis, Thomas

Pass, Lewis

Piard, James D.

Pollock, David

Rambo, Daniel

Richardson, William H.

Righter, Isaac

Russell, William

Salmons, Robert W.

Shannon, William J.

Shipley, Robert

Smith, John

Staats, George H.

Sullivan, Thomas

Sylvester, John T.

Taylor, James

Taylor, William G.

Thompson, Silas

Titworth, Solomon D.

Vansant, James H.

Warner, Thomas

Weller, Joseph B.

Wilcutts, Joseph H.

Wilkinson, John H.

Wosters, John

Zimmerman, Lawrence

Supplement.—Mustered out of service at Wilmington, Delaware, August 23, 1863. Two men died of disease.

FIRST REGT. DELAWARE CAVALRY VOLUNTEERS.

*Company A.**Captain.*

John B. Aydelott.

First Lieutenant.

Andrew Biddle.

Second Lieutenant.

George E. Davis.

Quartermaster-Sergeants.

James H. Anderson.

Erasmus M. Fletcher.

Commissary-Sergeants.

John F. Jones.

Charles E. Stevenson.

First Sergeants.

Thomas E. Cowgill.

John H. King.

Sergeants.

James H. Jacobs.

James Kirbley.

Joseph E. Martin.

John H. McCally.

Isaac R. Staats.

William P. Steward.

Rufus Terrell.

Frank C. Townsend.

George W. Watson.

Edwin S. Way.

Corporals.

Oliver L. Bell.

George W. Dennis.

Thomas B. Jewell.

Joseph G. Kane.

Beverly Gause.

Wright Hall.

James F. Hobson.

George McLaughlin.

Albert Metzner.

James Smith.

David W. Staats.

Saulsbury Thornton.

Supplement.—Mustered out of service at Relay House, Md., June 6, 1865.

Mustered out of service at Baltimore, Md., June 30, 1865.

*Company B.**First Lieutenant.*

William H. Bird.

Second Lieutenant.

Theodore H. Burton.

Quartermaster-Sergeants.

Charles E. Meesick.

Samuel J. Stevenson.

First Sergeants.

Jeremiah Wallace.

Lewis E. Wallace.

Sergeants.

Clement N. Dodd.

Robert E. Ellis.

- William D. Fisher.

George G. Lindsley.

William B. Sutton.

Hiram r. White.

Corporals.

James Andre.

Thomas T. Bennett.

Company B, First Delaware Cavalry Volunteers—Continued.

James L. Benton.
James D. Boggs.
Joseph Delanie.
John H. Jones.
Richard M. Marley.
Patrick McCracken.
Robert S. Millen.
Lake Richardson.
Jonathan Smith.
Elijah H. Spicer.
Henry M. Sutton.
Thomas B. Swain.
George C. Talmán.
Silas M. Warrington.

Bugler.

Charles Casperson.

Farriers.

Peter Carnagy.
John J. Morgan.

Saddler.

George W. Stradley.

Wagoner.

Robert H. West.

Privates.

Anderson, William
Andrew, Samuel J. T.
Andrew, David S.
Ardis, William
Bailey, John T.
Beck, Josiah
Been, John
Bell, Joseph H.
Blades, Albert
Bullen, Harrison
Cain, Robert
Cannon, Isaac B.
Carr, John
Carroll, Jeremiah
Clark, James C.
Coffin, Samuel
Colebum, Joseph H.
Conway, William H.
Culloway, William
Dawson, William W.
Dennis, Garrison
Dennis, John W.
Dolan, William
Dunn, William H.
Dustin, Silas B.
Dyce, George T.
Eaton, William J.
Ellet, Robert
Eskridge, Jonathan
Farlow, Elijah J.
Fisher, George P.
Fleetwood, James B.
Foskey, James M.
Griffith, Alexander

Griffith, Elisha M.
Hale, Christen
Hatfield, Purnell
Hearn, George A.
Hewmans, George
Hess, John W.
Hopkins, William
Irvin, George
Jaiva, Robert
Jarvis, Thomas
Jewell, William H.
Johnson, George S.
Johnson, Samuel T.
Johnson, Thomas (1)
Johnson, Thomas (2)
Joseph, John
Kirwan, James O.
Lank, George W.
Laukford, William B.
Lillagore, Henry S.
Lofland, David
Marvel, Andrew J.
Messick, Edward J.
Moore, Daniel
Morris, John W.
Morgan, Mitchell J.
Obier, Jesse W.
O Daniel, Frank
Palmer, Woolsey B.
Parker, Richard C.
Phippen, Greenbury
Phippen, James P.
Purnell, Joseph C.
Rhymor, Thomas
Richards, John H.
Richardson, Alexander K.
Riggen, Robert J.
Satterfield, Levi
Scott, John
Scott, Marrahn
Short, Charles
Smith, James H.
Smith, Robert M.
Snead, James
Steel, Charles
Stuart, Robert A.
Tarr, James
Telmons, William T.
Tolbert, Evans J.
Torbet, Jonathan
Tull, Henry
Watson, John
Ward, Samuel S.
Warren, George W.
Waytt, Elijah
Weatherley, Jesse H.
West, James B.
West, Robert W.
Wheatley, Charles
Williams, George
Witham, Charles
Zeirt, John

James B. Clark.
David R. Ennis.
Manlove D. Hill.
William H. Lenhart.
Robert Machine.
Thomas A. Melson.
Charles Messick.
James M. Scott.
John H. Thomas.

Corporals.

Thomas Alexander.
Stansbury Collison.
James D. Craig.
John C. Crowley.
Samuel P. Davis.
Henry C. Hollis.
John H. Johnson.
John Lawson.
Thomas Manlove.
William J. Marvel.
John McWhorter.
Wingate H. Messick.
Thomas D. Reed.
John Schofield.

Buglers.

James F. Stewart.
Hugh R. Windsor.
John H. Wright.

Farriers.

Noah Blades.
Marcus L. Rodgers.

Saddler.

William C. Waltson.

Wagoner.

John H. Outten.

Teamster.

Isaac M. Thomas.

Privates.

Abbott, Edward J.
Adamson, William H.
Bacon, William H.
Begger, Samuel C.
Blackburn, William J.
Bonner, John
Carpenter, Lemuel P.
Carpenter, William
Conaway, James E.
Coverdale, George A.
Cooper, William
Daisey, Charles H. C.
Daisey, Thomas M.
Davis, James
Davis, Joseph J.
Derrickson, George M.
Derrickson, William H.
Derrickson, William E.
Faucett, Jacob E.
Fauskey, James M.
Finley, William F.
Fisher, Joshua S.
Gibson, Isaac
Griffin, McElroy M.
Hall, John W.
Hammond, John
Hanson, Ander
Harrington, Thomas B.
Hastings, William B.

Hayes, John
Hearn, Elijah A.
Henney, Thomas
Hill, David H.
Hinson, William E.
Hollis, Joseph C.
Horsey, Samuel
Hudson, John W.
Jenkins, John W.
Johnson, Charles I.
Jones, George W.
Justice, Benjamin
Laurent, Eugene
Lekites, Isaac W.
Lekites, Samuel B.
Lewis, Thomas P.
Lewis, William W.
Lloyd, Tyrus C.
Lofland, James B.
Lofland, Joseph
Longaker, James
Lynch, David R.
Mannering, James F.
Mannon, Alfred I.
Martin, George H.
Marvel, David B.
McColley, Purnell C.
Messick, John D.
Messick, Philip S.
Messick, Theophilus W.
Millen, James A.
Mitchell, William T.
Murphy, William
Newkirk, James E.
Nibleight, Thomas
Nicholson, William P.
Owens, George W.
Parsons, William I.
Pasewater, William
Pepper, Alfred P.
Pepper, Molton R.
Pettyjohn, James H. C.
Potter, Samuel
Pusey, George W.
Quillen, James
Reynolds, Charles P.
Ricketts, William P.
Riggin, David E.
Roberts, Samuel S.
Robinson, Joseph
Robinson, William E.
Rodgers, Annanias
Rodgers, John W.
Rodgers, Julien W.
Sapp, William H.
Simmons, Gardner H.
Smith, Alger
Spicer, William E.
Swain, Joshua E.
Sylvester, Robert M.
Tazwell, Robert
Thomas, James H.
Van Horn, Isaac
Vickers, William E.
Warnick, Charles F.
Watkins, Joseph D.
Weeks, Solomon H.
Wharton, William F.
Willey, Henry
Williams, George W.
Wilson, Joseph H.
Windsor, Charles H.
Workman, Thomas
Wright, Alfred

Supplement.—Mustered out of service at Baltimore, Md., June 30, 1865.

Mustered out of service at Relay House, Md., June 6, 1865.

*Company C.**Captain.*

Levin B. Day.

First Lieutenant.

Rowland B. Day.

Quartermaster-Sergeants.

William G. Boone.
Elijah A. Nichols.

Commissary-Sergeants.

Spencer Hitch.
William W. Hazzard.
Michael J. Ryan.

First Sergeants.

Harrison Vandegrift.

Sergeants.

John M. Barnes.

Supplement.—Mustered out at Baltimore, Md., June 30, 1865.

Mustered out of service at Relay House, Md., June 6, 1865.

Company D.

Captain.
Samuel D. Paschall.

First Lieutenant.
George A. Clark.

Second Lieutenant.
John H. Carron.

Quartermaster-Sergeant.
James W. Catts.

Commissary-Sergeant.
Martin L. Earnest.
Thomas H. Freeze.

First Sergeants.
William P. Davis.
Ethan B. King.

Sergeants.
Theodore Albin.
John W. Danbing.
William T. Gear.
Zachariah W. Gemmill.
Daniel J. Jackson.
Marshall B. Pierce.
William S. Worrall.

Corporals.
George W. Ardia.
William H. Barker.
Henry A. Derrickson.
Edward H. Fooks.
Thomas Foreaker.
Henry A. Garvey.
Frank J. Hobson.
Isaac H. Likens.
Joseph W. Pierce.
Lewis S. Pyle.
William J. White.
John T. Williams.

Buglers.
Augustus Bellows.
John McClair.

Farmers.
John R. Butler.
Chandler Cloud.
Thomas Murray.

Privates.
Anderson, John W.
Baker, Jacob
Baker, William
Black, John H.
Cannon, William D.
Chandler, Joseph
Clendaniel, George
Coffin, Nehemiah
Cox, Cheyney C.
Cox, Lewis P.
Cramfield, Jacob
Davis, John
Delling, Asa

Supplement.—Mustered out of service at Baltimore, Md., June 30, 1865.

Mustered out at Relay House, Md., June 6, 1865.

NIELDS' INDEPENDENT BATTERY, LIGHT ARTILLERY,
DELAWARE VOLUNTEERS.

Captain.
Benjamin Nields.

First Lieutenants.
Thomas A. Porter.

Derbisher, James
Dyer, Bennet
Fisher, Charles
Ford, Nehemiah
Foreaker, Isaac
Foreaker, John W.
Giffort, Charles T.
Harrington, George M.
Hoops, William
Hunter, Henry P.
Jackson, Andrew
Jackson, Jonathan
Jacobs, Morton
Jandell, William T.
Jenkins, Andrew
Jones, Michael
King, Isaac A.
Litzenburg, William
Lodge, Thomas E.
Marlin, Charles P.
Mariner, William
McClair, John B.
McDowell, Benjamin R.
Meacham, Samuel
Miller, George H.
Mills, William H.
Minner, Jesse
Moffitt, Edward W.
Mugrove, George
Nace, Mc Henry
Newsome, Alfred
Norrett, Caleb
Oskins, William
Paxson, Clarkson
Phillips, George D.
Phillips, James B.
Pierce, Jonathan
Prettyman, Mathias
Roach, William F.
Ross, Christopher
Stimpson, James A.
Stinkler, Henry W.
Stayton, Elijah R.
Stewart, George W.
Stewart, William H.
Thompson, Joseph
Thompson, William
Tinley, John
Tinley, Thomas
Tucker, Thomas
Vandever, William
Vincent, John D.
Warren, Richard B.
Watson, George W.
Weber, Christopher
Wheatley, Nathan
Whiteside, William
Williams, Samuel J.
Williams, William
Wilson, Garrett S.
Wilson, Hiram
Wilson, Hosea
Woodward, Frank
Woodward, Joseph
Young, George W.

Charles G. Rumford.
Amos Sharpless, Jr.

Second Lieutenants.
Samuel D. Paschall.

William Lea, Jr.
J. Smith Tulley.

First Sergeant.

Isaac C. Cleaver.

Quartermaster-Sergeant.

George Danby, Jr.

Sergeants.

James A. Robinson.
William A. Talley.
William E. Cotter.
Charles W. Talley.
Frank S. Vernou.
John P. Wells.

Corporals.

Zachariah Pickels.
Samuel L. Kerbaugh.
George K. Moore.
Henry W. Zimmerman.
James L. Hawkins.
William Bowman.
William Graham.
Samuel J. Davis.
J. Hamilton Husbands.
Samuel Johnson.
John Brear.
Robert Liddell.
John H. Baldwin.
Joseph Y. Krusen.

Buglers.

William W. Butler.
Alfred Thompson.

Artificers.

William O. B. Johnson.
Joshua P. Blythe.

Privates.

Adams, William B.
Adams, William R.
Anderson, Alfred
Applegate, William
Atkinson, Theodore
Baker, George W.
Bannan, Robert d
Bartlett, Joseph C.
Baylis, John R.
Beggs, William F.
Belt, William E.
Brisson, John
Bond, Isaac W.
Boyd, John L.
Boys, Abraham
Bradford, James H.
Bradley, Richard
Brannan, William R.
Bratten, Edward T.
Brazer, Simon
Brean, Abel
Bringham, William
Brown, John W.
Brown, William
Buchanan, John
Bugle, William
Busine, Robert S.
Campbell, Lorenzo D.
Campbell, William J.
Carr, Robert
Chandler, Peter A.
Clair, Lewis G.
Clark, Obediah
Clayton, Henry H.
Conner, John J.
Cox, Jackson W.
Dalley, Bayard
Dalley, Charles d
Davis, Anthony
Davis, Smith
Dawson, Washington H.
Derrick, Charles A. d
Dixon, Wister
Dolan, James
Dougherty, Daniel
Dougherty, Michael
Eaton, William
Evans, George W.
Ferguson, John G.
File, Joseph C.
Fisher, James
Foster, Daniel
Foster, Joseph B.
France, Joseph
Gartland, Patrick
Garvine, James
Garrett, Samuel L.
Garrett, Thomas P.
Gemmill, James R.
Gibbons, Neal
Gibbs, Milton d
Gilmour, Henry
Goodwin, Edward
Graham, Monroe
Grantland, William H.
Green, James W.
Gregg, Thomas D. d
Grubb, John S.
Gutschmer, Joseph
Hall, George P.
Harris, Frank J.
Harvel, James
Healey, John
Heck, Joseph G.
Henderson, David
Hendrickson, Samuel
Henvis, Maurice B.
Hennisay, Michael
Herbert, William H.
Higgins, David B.
Higgins, Samuel
Holland, Hugh
Hurst, Alexander
Husbands, Andrew J.
Huston, Benjamin A.
Husbands, Wesley J.
Husbands, William H.
Jeane, Lewis W.
Jeffers, Carleton L.
Jewell, Isaac
Johnson, John d
Johnson, William
Jones, Andrew W.
Jones, John
Justison, Daniel C.
Kelly, John B.
Killiam, John W.
Lackey, William W.
Lamplugh, Jacob
Law, Woodward P. d
Lowther, John.
Mackin, Owen
Maguire, Thomas L.
Martin, Robert d
Martine, William P.
Mason, George W.
Mason, Park
Massey, Henry
Massey, Peter F.
Mayberry, James A. d
McCafferty, John
McClafferty, Barney
McClelland, William
McCrea, William
McCullen, John

Nichols' Independent Battery—Continued.

McDaniel, Benjamin F.
McKaig, William J.
McKinsey, Zebulon R.
McGuire, Thomas
McWilliams, George
Megilligan, William B.
Moody, Richard
Moore, Richard
Morrow, Hugh S.
Mullen, James
Negendank, Lewis
Nethery, James
Noblit, John H.

Nostrand, Charles T.
Ocheltree, James M.
Pierce, William H.
Pierson, Lewis H.
Pugh, James B.
Pyle, John B.
Richardson, Benjamin
Rickards, John L.
Robb, George H.
Rumford, Alfred J.
Ruthvon, Wilmer A.
— Sanders, John H.
Scanlan, James H.

Scanlan, John M.
Schofield, William B.
Scout, William H.
Stemers, Edward M.
Simmons, Henry
Simms, Abraham
Springsteen, Allen B.
Springer, Jeremiah C.
Tenweges, Charles
Truitt, Walter

Turner, Robert G.
Walter, Townsend H.
Ward, Thomas
West, William T.
Willmott, William
Wilson, Chalmers
Woods, Henry
Yeatman, Griffin
Young, Edward
Zebley, James

Supplement.—Mustered out of service at Devall's Bluff, Arkansas, June 23, 1865, by Henry R. Newcombe. The company lost nine men, who died of disease.

ERRATA.

Page 333, 1st column, 3d paragraph, instead of "Wilmington Morning News" read "a Wilmington paper."

Page 333, bottom of 2d column, instead of "Askew" read "Asken."

Page 334, 2d column, 3d line from bottom, instead of "Love" read "Lore."

Date Due

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